

**PB# 93-24**

**Joseph DellaFiora**

**20-2-45 & 46**

Auto Repair, Used Cars - River Rd. (Drabick)

Approved 10/12/94

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TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12550

## GENERAL RECEIPT

13495

Received of B & M Automotive Center Aug 5 19 93  
One Hundred fifty — 00 100 DOLLARS  
For PB #93-24 Application Fee

DISTRIBUTION

FUND	CODE	AMOUNT
<u>CK 1799</u>		<u>150.00</u>

By Pauline S. Townsend  
Town Clerk  
Title

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TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12550

## GENERAL RECEIPT

13496

Received of Town Clerk Aug 5 19 93  
Seven Hundred fifty — 00 750 DOLLARS  
For PB #93-24 Escrow B & M Automotive Center

DISTRIBUTION

FUND	CODE	AMOUNT
<u>CK #1800</u>		<u>750.00</u>

By Joan Zappala  
Deputy Comptroller  
Title

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TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12550

## GENERAL RECEIPT

13498

Received of B & M Automotive Center October 21 19 94  
One Hundred and 00/100 — 00 100.00 DOLLARS  
For Planning Board Approval Fees #93-24

DISTRIBUTION

FUND	CODE	AMOUNT
<u>CK #2719</u>		<u>100.00</u>

By Dorothy H. Hanson  
Town Clerk  
Title

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Planning Board  
Town Hall  
555 Union Ave.

NO. 93-24

For 715-73-24 Application Fee

FUND	CODE	AMOUNT
<u>CE 1799</u>		<u>150.00</u>

By Pauline J. Townsend  
Town Clerk  
Title

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**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, NY 12550

**GENERAL RECEIPT** 13496

Received of Town Clerk Aug 5 19 93  
Seven Hundred Fifty \$ 750.00  
00 DOLLARS

For P.B. #93-24 Escrow B+M Automotive Center

FUND	CODE	AMOUNT
<u>CE #1800</u>		<u>750.00</u>

By Juan Zappalo  
Deputy Controller  
Title

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**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, NY 12550

**GENERAL RECEIPT** 13497

Received of B+M Automotive Center October 21 19 94  
One Hundred and 00/100 \$ 100.00  
00 DOLLARS

For Planning Board Approval Fees #93-24

FUND	CODE	AMOUNT
<u>CE #2719</u>		<u>\$100.00</u>

By Dorothy H. Hanson  
Town Clerk  
Title

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Planning Board  
Town Hall  
555 Union Ave.  
New Windsor, N.Y. 12553

NO. 93-24  
October 21, 1994

RECEIVED FROM B+M Automotive Center  
Four Hundred Thirty-One 80/100 DOLLARS  
2% of \$21,590.00 Inspection Fee

Account Total \$ 431.80  
Amount Paid \$ 431.80  
Balance Due \$ -0-

"THE EFFICIENCY LINE" AN AMPAD PRODUCT

Maryanna, Sign to the P.B.  
A. Zappalo 10/21/94

10/21/94  
6299 387.50



RESULTS OF P.B. MEETING

DATE: May 11, 1994

PROJECT NAME: Dellafiora, Joseph S.P. PROJECT NUMBER 93-24

\*\*\*\*\*

LEAD AGENCY:

\* NEGATIVE DEC:

M)    S)    VOTE: A    N   

\* M) V S) L VOTE: A 5 N 0

CARRIED: YES    NO   

\* CARRIED: YES: ✓ NO   

\*\*\*\*\*

PUBLIC HEARING: M) 0 S) 5 VOTE: A 5 N 0

WAIVED: YES ✓ NO   

SEND TO OR. CO. PLANNING: M)    S)    VOTE: A    N    YES    NO   

SEND TO DEPT. OF TRANSPORT: M)    S)    VOTE: A    N    YES    NO   

DISAPP: REFER TO Z.B.A.: M)    S)    VOTE: A    N    YES    NO   

RETURN TO WORK SHOP: YES    NO   

APPROVAL:

M)    S)    VOTE: A    N    APPROVED:   

M) V S) 5 VOTE: A 5 N 0 APPR. CONDITIONALLY: 5/11/94

NEED NEW PLANS: YES    NO ✓

DISCUSSION/APPROVAL CONDITIONS:   

hours of op. 8-5 1/2 day Saturday

Andy need land & Descriptions also to Mark

Piece of land to be deeded to the Town

Need certification for Tanks underground.

Site Plan Bond Estimate

Myra

6/8/94

Pellafiora

- ① Deeds don't match plan
- ② It is now two panels  
not one.
- ③ need dedication deed etc  
to T/NW & J. Tad Seaman  
to receive and review

Myra

SECTION 20 BLOCK 2 LOT 45 & 46

# ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

(This Page is Part of the Instrument)

PRINT OR TYPE: BLACK INK ONLY

ACS PROPERTY, INC. TO

JOSEPH J. DELLAFIORA AND VICTOR DELLAFIORA

RECORD AND RETURN TO:  
(Name and Address)

NEUMAN, TAMSEN & GREHER  
400 GIDNEY AVENUE  
NEWBURGH, NY 12550

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH  
RECORDED INSTRUMENT ONLY.

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 62899 DATE 10-20-93 AFFIDAVIT FILED \_\_\_\_\_ 19 \_\_\_\_\_

INSTRUMENT TYPE: DEED ☒ MORTGAGE \_\_\_\_\_ SATISFACTION \_\_\_\_\_ ASSIGNMENT \_\_\_\_\_ OTHER \_\_\_\_\_

BG20 Blooming Grove \_\_\_\_\_  
CH22 Chester \_\_\_\_\_  
CO24 Cornwall \_\_\_\_\_  
CR26 Crawford \_\_\_\_\_  
DP28 Deerpark \_\_\_\_\_  
GO30 Goshen \_\_\_\_\_  
GR32 Greenville \_\_\_\_\_  
HA34 Hamptonburgh \_\_\_\_\_  
HI36 Highland \_\_\_\_\_  
MK38 Minisink \_\_\_\_\_  
ME40 Monroe \_\_\_\_\_  
MY42 Montgomery \_\_\_\_\_  
MH44 Mount Hope \_\_\_\_\_  
NT46 Newburgh (T) \_\_\_\_\_  
NW48 New Windsor ☒  
TU50 Tuxedo \_\_\_\_\_  
WL52 Walkill \_\_\_\_\_  
WK54 Warwick \_\_\_\_\_  
WA56 Wawayanda \_\_\_\_\_  
WO58 Woodbury \_\_\_\_\_  
MN09 Middletown \_\_\_\_\_  
NC11 Newburgh \_\_\_\_\_  
PJ13 Port Jervis \_\_\_\_\_  
9999 Hold \_\_\_\_\_

SERIAL NO. \_\_\_\_\_  
Mortgage Amount \$ \_\_\_\_\_  
Exempt Yes \_\_\_\_\_ No \_\_\_\_\_  
Received Tax on above Mortgage  
Basic \$ \_\_\_\_\_  
MTA \$ \_\_\_\_\_  
Spec. Add. \$ \_\_\_\_\_  
TOTAL \$ \_\_\_\_\_

CHECK ☒ CASH \_\_\_\_\_ CHARGE \_\_\_\_\_  
MORTGAGE TAX \$ \_\_\_\_\_  
TRANSFER TAX \$ 340-  
RECORD. FEE \$ 17-  
REPORT FORMS \$ 30-  
CERT. COPIES \$ \_\_\_\_\_

MARION S. MURPHY  
Orange County Clerk

by: LM

ORANGE COUNTY CLERK'S OFFICE S.S.

Recorded on the 18th day of Nov 19 93 at 4:27  
O'Clock PM M. In Liber/Film 3919  
Last page 299 and examined.

Marion S. Murphy  
County Clerk  
DEPUTY COUNTY CLERK

RECEIVED  
\$ 340-  
REAL ESTATE  
TRANSFER TAX  
ORANGE COUNTY

ORG 11/01/93 04:27:53 52267 47.00

\*\*\*\*\* EDUCATION FUND: 5.00 \*\*\*\*\*

DEED CONTROL NO: 62899 340.00 \*

\*\*\*\*\* SERIAL NUMBER: 002284 \*\*\*\*\*

THIS INDENTURE, made the <sup>17</sup>~~20~~ day of October, nineteen hundred and ninety three,

**BETWEEN**

ACS PROPERTY INC., with an address at River Road, New Windsor, New York 12550,

party of the first part, and

JOSEPH J. DELLAFIORA AND VICTOR DELLAFIORA, with an address at 42 Frost Lane, Cornwall, New York 12518,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of the sum of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, which property is more fully described in Schedule "A," annexed hereto and made a part hereof.

This conveyance is made in the regular course of business as conducted by the party of the first part, and does not constitute all or substantially all of the assets of the party of the first part.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed as of the day and year first above written.

ACS PROPERTY, INC.

BY: Jerome S. Allron

Jerome S. Allron, President

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## SCHEDULE A (Description)

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, Orange County, New York, and which parcels are described as follows:

### Parcel I

Beginning at a point in the westerly line of River Road at the intersection of same and the northerly line of premises described in deed Harry L. Stanley, as Treasurer of the County of Orange, to Elizabeth Allen Tubbs, dated April 9, 1941 and recorded May 17, 1941 in Liber 861 of Deeds page 90 and from said point of beginning running thence along the northerly line of premises conveyed to Elizabeth Allen Tubbs, as aforesaid, North 50° 58' West 99.75 feet, more or less, to the point of beginning of the thirteenth course mentioned and described in the first tract of Deed from the Turl Iron and Car Company, Inc. to Saddle River Oaks, Inc., recorded in Liber 1117 of Deeds, page 260 to 263; thence North 37° 32' East 41.25 feet; thence North 48° 16' West 44.85 feet; thence North 37° 11' East 32.11 feet to the southerly line of former lane known as Old Road; thence along the southerly line of said Old Road North 72° 57' East 137.44 feet to a point; thence South 61° 13' 30" East 43.80 feet, more or less, to a point, on the westerly line of aforesaid River Road; thence along the said westerly line of River Road South 31° 16' 30" West 199.0 feet to the point or place of beginning.

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### Parcel II

Beginning at a point in the westerly line of River Road at the intersection of same and the northerly line of premises described in deed Harry L. Stanley as Treasurer of the County of Orange to Elizabeth Allen Tubbs, dated April 9, 1941 recorded May 17, 1941 in Liber 861 of deeds page 90, and from said point of beginning, running thence along the westerly line of River Road South 31° 16' 30" West for 42 feet, more or less, to the intersection of said westerly line of River Road with the southerly line of the parcel herein described; thence North 50° 58' West 102.75 feet, more or less, to a point on the southeasterly side of Silver Spring Road; thence along said side of Silver Spring Road, North 37° 32' to a point where said road curves to the northwest; thence South 50° 58' East for 102.75 feet to the point or place of beginning.

LIBER 3919 PAGE 303

## **SCHEDULE A - CONTINUED**

Subject to an easement retained by the grantor for the purpose of constructing and maintaining an underground oil pipeline to transport oil and petroleum products from lands of the grantor, lying to the north of the premises hereinabove described (the "Premises") to other lands of the grantor which are to the east of the Premises and across River Road. The easement shall be fifteen (15') feet in width, and in the location as described below. The grantor shall be responsible for constructing and maintaining the pipeline, and shall return the Premises to substantially the same condition as prior to such construction or maintenance. The easement is located along the northerly side of the Premises, commencing at or adjacent to the point where a pipe which presently traverses River Road reaches the westerly side of such road, and proceeding across the Premises in a generally straight line to the southerly boundary of other lands of the grantor. The location of the easement shall be subject to reasonable adjustments to take into account the actual location of the pipe now installed which traverses River Road, and the engineering and governmental requirements necessary to construct and utilize such pipeline.

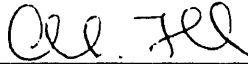
STATE OF NEW YORK

COUNTY OF *Orange*

)  
)  
)

SS.:

On the *20<sup>th</sup>* day of October, 1993, before me personally came *Jerome S. Affron*, to me known, who, by me duly sworn, did depose and say that deponent resides at Newburgh, New York, that deponent is the President of ACS PROPERTY, INC., the corporation described in, and which executed the foregoing instrument by order of the board of directors of the corporation; and that deponent signed deponent's name by like order.



Notary Public

**CHARLES E. FRANKEL**  
Notary Public, State of New York  
Qualified in Orange County  
Commission Expires March 30, 19*95*

ENTER 3919 PAGE 31



DELLAFIORA, JOSEPH SITE PLAN (93-24) RIVER ROAD

Steven Drabick appeared before the board for this proposal.

MR. DRABICK: Since the last meeting before the board, we made a number of changes on the plan, one being the change in detail for the, we show that for the garbage enclosures, it's masonry now. Number 2, we corrected the parking schematic at the rear of the building. Which, as Mark had pointed out, leaves us with a 15 foot lane from the edge of the parking area to the back. We've also pushed the north corner of the parking lot back a little bit, just to allow for more turning room around that corner of the building. Also based on comments from Don Green with DOT office in Newburgh here, we've supplied a detailed for entrance off River Road which shows curbing along that entrance and also along the balance of the right-of-way of River Road for the full extent of the edge of pavement for the parking lot on both sides of the opening. And in subsequent meetings with them, it was also decided to provide curbing, drop openings every 50 feet along that curb, just to maintain a sheet drainage flow from the building to the drainage swale along River Road. His initial comment he had stated raising the existing catch basin at the north side of the entrance there and placing the curbing behind it. We seemed to feel after looking at that basin sits low and it's in an existing swale to do so would create a dam. Rather what we did do is maintain the swale and basin and curbing will act as a head wall and any drainage running out of the parking lot through the entrance would be cut directly to the basin and slotted drain.

MR. PETRO: You're aware you're going to have to get the highway work permit before we can issue a building permit?

MR. DRABICK: That is correct.

MR. PETRO: Plans don't include a detail for the handicapped parking space although detail has been added, it's not on the plan.

MR. DUBALDI: Where is the handicapped parking space?

MR. DRABICK: It's at the north corner of the property there and we do show at that location we show 2, eight foot lanes.

MR. EDSALL: You gave us typical parking space detail but we ask for one that is for the handicapped space cause there's been so many problems with proper striping of them so we'd rather get it resolved on the plan now rather than have it striped wrong and go through it, I can work with Steve to get the right one on there if the board so desires.

MR. PETRO: Two things we were going to go down to do a site visit, one member was sick and somebody else was unavailable so what we did I had Myra call each member and we all went down individually to take a look and I believe we will all concur with that and in essence we did do a site visit and we can continue from there.

MR. LANDER: The only thing, the lighting, proposed lighting we have residences on both sides, this one on your south side would be the closest one we want to make sure that they don't interfere.

MR. DRABICK: At the rear of the building currently that is an existing flood light.

MR. LANDER: So you are not going to be changing that?

MR. DRABICK: No, the one at the front right-hand corner of the existing building is also an existing flood light, we only propose adding one to the rear corner of the proposed addition there.

MR. VAN LEEUWEN: What are your hours of operation?

MR. DRABICK: Hours of operation would be from 8 to 5.

MR. LANDER: Six days a week?

MR. DELLAFIORA: Half day on Saturday.

MR. VAN LEEUWEN: We do have a couple residences, I

don't know if that will bother them or not but we should take that into consideration.

MR. LANDER: Well, 8 to 5, 1/2 day on Saturday, that is not--

MR. VAN LEEUWEN: As long as that is what they agreed to and it's part of the approval, it's okay with me.

MR. LANDER: Me, too. The only thing we wouldn't like to see, we wouldn't like to see any wrecked cars or anything, just put them in the back of the building if that is the case.

MR. DRABICK: We have had the curbing here, there really isn't any room to place any kind of cars out in the front.

MR. LANDER: You have 24 feet.

MR. DRABICK: It would make it awful tight, plus the entrance to the building extends out.

MR. PETRO: Steve, you're aware that the municipal sewer we have one condition which would be the oil water separator required for floor drains in the bays?

MR. DRABICK: Right.

MR. PETRO: And also no drains permitted in the paint booth also. We have municipal fire approval on 5/11/94, DOT we talked about that driveway should be curbed and catch basin raised to grade which you did talk about.

MR. VAN LEEUWEN: When you do the lighting on the building, can you keep in mind you have neighbors next door to you?

MR. DRABICK: Yes, as I pointed out, the only lighting is what's been there existing so--

MR. VAN LEEUWEN: It hasn't been used in a while, all of a sudden when you start putting the lights on, you shine in people's windows, they don't care for that.

MR. DRABICK: Over the summer, it shouldn't be a problem because it's still fairly wooded along the top of the bank between the parcel and building, likewise on the edge of the end building, there's a strip of woods. Although, over the winter with the leaves down you could get some light.

MR. PETRO: Somewhat expand on what Mr. Van Leeuwen is talking about to have an approval for a body shop without a public hearing, especially when there's homes in the immediate area, I'm not so sure that it is a good idea or good planning.

MR. VAN LEEUWEN: Can I make a note? We've always had public hearings in this area cause we've had several problems over the years. I have been on this board 20 some odd years, anything that has ever come before this board on River Road has had a public hearing.

MR. PETRO: I believe we just had one for Ira Conklin across the street. There are some homes in the area, I'm listening for other input on this. I'm 50-50 on this so I'd like to, I think we should have a public hearing. I think we should schedule it tonight, let's move it along.

MR. DRABICK: My only comment to the board is the fact that we did go through a public hearing at the ZBA level for this particular project.

MR. PETRO: Did anyone show up at the ZBA?

MR. DRABICK: There was one individual, Mr. Osner that showed up and his only comment was that we remove the dilapidated garage that was at the front left corner that was it.

MR. PETRO: Ron, Carmen?

MR. LANDER: Well, we had one person show up, the notices went out, I would think that if they wanted to make a comment, they would have made it.

MR. SCHIEFER: Why was Richie Osner involved? Does he

have anything down in this area now? I don't believe so. He used to be in there that was their business.

MR. PETRO: To get a letter he must be a property owner somewhere.

MR. BABCOCK: It was his building.

MR. SCHIEFER: It was at one time and at one time he owned this.

MR. PETRO: Maybe it didn't come off the tax rolls. What do you think? They went to the ZBA and they--

MR. VAN LEEUWEN: I don't think we need one, only one person showed up, every property that we have always done has always had a public hearing, one way or another, Zoning Board or us.

MR. PETRO: I agree, especially a body shop.

MR. VAN LEEUWEN: You have a lot of houses, you don't want them to come back later on.

MR. PETRO: Let's have a motion then.

MR. KRIEGER: I have two comments before you're done.

MR. PETRO: To do with the public hearing?

MR. KRIEGER: No.

MR. SCHIEFER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive public hearing on the Dellafiora site plan on River Road. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. DUBALDI	AYE
MR. SCHIEFER	AYE

MR. VAN LEEUWEN      AYE  
MR. PETRO            AYE

MR. KRIEGER: Two things, first of all there's a notation on here, parcel to be gratuitously dedicated to the Town of New Windsor for general municipal purposes. Is this something that someone from the Town asked for?

MR. DRABICK: Not specifically. I believe I had discussed it with Mark at the workshop meeting as to what we should do with that parcel, being that the deed line did extend into the right-of-way of Silver Springs Road.

MR. KRIEGER: I think before the Planning Board approves the plan there ought to be some indication that the Town of New Windsor wants this, I don't think the Town would appreciate being saddled with miscellaneous parcels all over town. That is the first thing I think should be clarified. Second thing is thank you for sending me those deeds. Unfortunately, the deed or the description of parcel one what appears to be the description of parcel one and parcel two, I didn't get the deed, just the description. I didn't get the deed part. So I can't determine whether or not it's the same ownership. I would ask you for the remainder, looks like it probably is but I'd ask you for the remainder of the deed. The easement is fine. I don't need anymore on the easement and I would also ask that you send a copy to the Planning Board engineer because he is going to verify the description and I rely on him to tell me and the board that the deed says what the map says it says in terms of metes and bounds description.

MR. BABCOCK: One point on the piece of property there for dedication, it's partially a road on that piece of property and our Town of New Windsor sewer line and manhole so I would assume that and that is why we probably talked to him at workshop about that.

MR. PETRO: That is why I had asked Andy earlier if there was an existing easement on part of that parcel.

MR. BABCOCK: We're not asking for an easement, normally, what we do is ask for the property.

MR. LANDER: Is there an easement there now that was the question?

MR. BABCOCK: That is what we want to make sure we take care of.

MR. EDSALL: What Steve is depicting is a line set back 25 feet center line of the existing road. If we have an applicant before the board and the old deeds extend into the road that they offer that portion for dedication so that we clearly have full use of what really is a town road.

MR. PETRO: This is not out of the ordinary.

MR. EDSALL: It's the normal procedure and Tad Seaman is aware of it and for these cases where it's not a new road, I say that it is acceptable to resolve that after the board approves it. It's more a formality than anything else.

MR. KRIEGER: Just to make sure that Tad knew about it so it won't constitute a surprise.

MR. PETRO: I have a question for Steve. On the north side of the proposed addition, was there at one time I remember hearing there was tanks there, he had to remove the tanks.

MR. DRABICK: There's an existing underground tank there now.

MR. PETRO: Tank was used for what purpose?

MR. DRABICK: Tank was used for fuel, gasoline, I believe.

MR. PETRO: We have to declare a negative dec. Has any testing been done on the tank?

MR. DELLAFIORA: Certification from New York State.

MR. PETRO: Can we get that for the file, please and have it here?

MR. DELLAFIORA: Yes.

MR. PETRO: Who did that work for you?

MR. DELLAFIORA: Testco.

MR. DRABICK: Just to clarify that a bit more, we're not proposing you do anything with the underground tank, we're just proposing to move the existing pump back.

MR. PETRO: I remember there were tanks on the property. When you want to declare a negative dec, you want to make sure all the loose ends are cleared up.

MR. SCHIEFER: There's two pumps sitting there but are they connected or just sitting there?

MR. DRABICK: I believe those pumps are connected to the underground tank.

MR. VAN LEEUWEN: So moved for a negative dec.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec on the Dellafiora site plan on River Road. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. DUBALDI	AYE
MR. SCHIEFER	AYE
MR. VAN LEEUWEN	AYE
MR. PETRO	AYE

MR. PETRO: I'd like to ask that the owner give us a copy of the certification of the tanks.

MR. VAN LEEUWEN: What else is left on this, just the



deeds? We can't approve this, not unless Andy's seen the deeds.

MR. KRIEGER: I've seen the descriptions, that portion of the deed seems to indicate that it's under common ownership. I just can't, it seems to indicate and indicating two different things, I can't say for sure because I don't have that portion of it.

MR. VAN LEEUWEN: I think those things should be cleared up because there might be a problem in the deeds then they have really got a problem.

MR. PETRO: Can you clarify that in any way?

MR. DRABICK: I don't understand what's the parcel, I guess the question is are the two parcels owned by the same party.

MR. VAN LEEUWEN: Right.

MR. KRIEGER: Owned by the party that is making the application, owned by the same party and owned by the party that is making the application.

MR. DRABICK: Correct, which would have been previously owned by--

MR. KRIEGER: Doesn't matter to me at that point who it is previously owned by, I just want to be able to verify that they are.

MR. PETRO: How do you want to verify it?

MR. KRIEGER: By copy of the current deed.

MR. VAN LEEUWEN: Needs a copy of both deeds.

MR. KRIEGER: The portion I got seems to indicate that there was one deed in which the two parcels were described. There were two parcel descriptions, which is fine, if there's a single deed and if they can do it that way and that takes care of the combination, the only problem I have only the description portion. I do not have the descriptive portion so I can't tell who

owns these two parcels.

MR. DRABICK: For what it is worth before the board I can state matter of factly that both of those parcels are owned by the applicant making this application before the board. The property being recently transferred from him by the previous owner which was Afron Oil, it is one description describing two parcels.

MR. KRIEGER: One giant metes and bounds description or a description that describes parcel 1 and parcel 2?

MR. DRABICK: It is a description that describes parcel 1 and parcel 2 under the heading of one deed.

MR. PETRO: I need some guidance, in other words, are we far enough along to make even a subject to? You feel comfortable with it or not or Hank was saying that we're not far enough along. You're the attorney. I don't think there's anything other than this one point, is there?

MR. LANDER: DOT, do we have something from DOT?

MR. PETRO: It's approved but he needs the work permit, the road opening permit.

MR. DUBALDI: That can be subject to.

MR. PETRO: Before he gets a building permit, not site plan approval, before a building permit is issued so we're done with that and again I'll state 5/11/94 we have fire approval.

MR. KRIEGER: In my opinion, it can be done as a subject to.

MR. PETRO: You can review something.

MR. KRIEGER: I've got enough of the answer, if it turns out when the documentation is given to me it says something different, well then they haven't met the subject to. But if it says what Mr. Drabick says that it says, that shouldn't be a problem. I don't see a

necessity for asking him to come back here for that, that is something I can look at.

MR. PETRO: I'm asking the other members if they see anything else on the plan?

MR. VAN LEEUWEN: No, no.

MR. PETRO: We have gone pretty far, the Planning Board should require that a bond estimate be submitted in accordance with A1G, Chapter 19 of the Town Code. I don't think I have anything else to say.

MR. LANDER: Nothing else.

MR. DUBALDI: No.

MR. VAN LEEUWEN: No.

MR. SCHIEFER: No.

MR. PETRO: I'd make a motion but I can't.

MR. VAN LEEUWEN: I'll make a motion subject to the road dedication and subject to the deeds being reviewed by a Town Attorney, verified single ownership.

MR. SCHIEFER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Dellafiora site plan on River Road, subject to the two that Henry just read in, road dedication and verification of single lot. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. DUBALDI	AYE
MR. SCHIEFER	AYE
MR. VAN LEEUWEN	AYE
MR. PETRO	AYE



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

PROJECT NAME: DELLAFIORA SITE PLAN  
PROJECT LOCATION: RIVER ROAD  
SECTION 20-BLOCK 2-LOTS 45 AND 46  
PROJECT NUMBER: 93-24  
DATE: 11 MAY 1994  
DESCRIPTION: THE APPLICATION INVOLVES A PROPOSED AUTO BODY,  
REPAIR SHOP AND USED CAR SALES ESTABLISHMENT ON  
THE 0.57 +/- ACRE PARCEL. THE PLAN WAS PREVIOUSLY  
REVIEWED AT THE 11 AUGUST 1993 AND 13 APRIL 1994  
PLANNING BOARD MEETINGS.

1. At this time, the following items are outstanding:
  - a. A response from the NYSDOT regarding the acceptability of the driveway entrance detail shown on the plan.
  - b. The plans still do not include a detail for the handicapped parking space, although a detail has been added for a standard parking space.
  - c. A note indicating that the two (2) lots will be combined as a condition of this site plan approval (as well, the procedures necessary must be identified and followed-through on).
2. The Planning Board should determine, for the record, if a Public Hearing will be necessary for this Site Plan, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.
3. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.

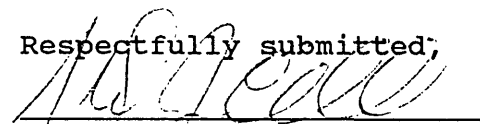
TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

-2-

PROJECT NAME: DELLAFIORA SITE PLAN  
PROJECT LOCATION: RIVER ROAD  
SECTION 20-BLOCK 2-LOTS 45 AND 46  
PROJECT NUMBER: 93-24  
DATE: 11 MAY 1994

4. The Planning Board should require that a bond estimate be submitted for this Site Plan in accordance with Paragraph A(1)(g) of Chapter 19 of the Town Code.
5. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

A:DELLA2.mk



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

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507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

5 September 1995

### MEMORANDUM

**TO:** Michael Babcock, Town Building Inspector

**FROM:** Mark J. Edsall, P.E., Planning Board Engineer

**SUBJECT:** DELLAFIORA SITE PLAN  
SITE COMPLETION REVIEW - 8/31/95

93-84

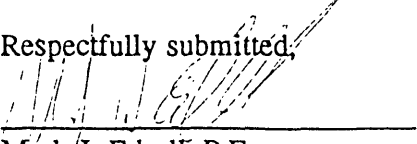
Please be advised that I performed a site plan completion review of the subject project on the afternoon of 31 August 1995. The review was relative to the plan stamped approved by the Board, with date of 12 October 1994.

The site, as it currently exists, is substantially incomplete, and is generally a mess. The paving, parking space delineation, handicapped parking spaces, landscaping, protective bollards, entrance improvements (including drainage), dumpster, lighting, and traffic control delineations are all nonexistent. The project is so far from completion that I would not recommend operation or a Certificate of Occupancy.

While reviewing the project status, I did observe that the site has numerous vehicles (either unregistered or registered with damage), occupying areas other than as delineated on the site plan. I observed vehicles marked for sale in non-approved areas.

In closing, this Applicant has made very little effort to comply with the site plan and the current site as it exists substantially contradicts the plan as approved.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer  
MJEmk

cc: James Petro, Planning Board Chairman  
A:9-5-3E.mk



**National Grange Mutual  
Insurance Company**

A Main Street America company

**PERFORMANCE BOND**

BOND NO. S401899

KNOW ALL MEN BY THESE PRESENTS:

That dba B&M Automotive Inc  
Joseph J. Dellafiora of New Windsor NY  
\_\_\_\_\_, as Principal and NATIONAL GRANGE MUTUAL INSURANCE  
COMPANY, a corporation organized under the laws of the State of New Hampshire, and authorized to do  
business in the State of New York  
with an office in Keene NH as Surety, are held and firmly bound unto the Town of  
New Windsor 555 Union Ave, New Windsor NY (hereinafter called the Oblige) in the sum of Twenty-One Thousand-----  
Dollars (\$ 21,000-----) lawful money of the United States of America, to be paid to the  
Obligee for which payments, well and truly to be made, we bind ourselves, our respective heirs, executors,  
administrators, successors and assigns, jointly and severally firmly by these Presents.

WHEREAS, the said Principal has entered into an agreement with the Oblige dated \_\_\_\_\_  
to/for Blacktop & Curbing

and said agreement to become a part of this bond as if fully written herein.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal shall well and truly  
keep and perform all the undertakings, covenants, terms and conditions of said contract on its part to be  
kept and performed; then this obligation shall become null and void; otherwise it shall remain in full force  
and effect.

IN WITNESS WHEREOF we hereunto set our hands and seals this 16 day of October  
19 95.

**CONTRACTOR AS PRINCIPAL**

Joseph J. Dellafiora dba  
Company B&M Automotive Inc

Signature: \_\_\_\_\_  
Name & Title: Joseph J Dellafiora/Pres.

**NATIONAL GRANGE MUTUAL INSURANCE COMPANY**

BY: \_\_\_\_\_  
Attorney-in-Fact



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- 93-24
- ☐ Main Office  
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  - ☐ Branch Office  
507 Broad Street  
Milford, Pennsylvania 18337  
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5 September 1995

### MEMORANDUM

**TO:** Michael Babcock, Town Building Inspector

**FROM:** Mark J. Edsall, P.E., Planning Board Engineer

**SUBJECT:** DELLAFIORA SITE PLAN  
SITE COMPLETION REVIEW - 8/31/95

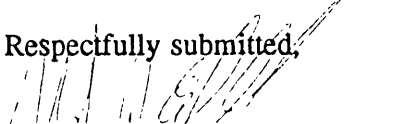
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While reviewing the project status, I did observe that the site has numerous vehicles (either unregistered or registered with damage), occupying areas other than as delineated on the site plan. I observed vehicles marked for sale in non-approved areas.

In closing, this Applicant has made very little effort to comply with the site plan and the current site as it exists substantially contradicts the plan as approved.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer  
MJEmk

cc: James Petro, Planning Board Chairman  
A:9-5-3E.mk



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 10/21/94

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 93-24

NAME: DELLAFIORA, JOSEPH  
APPLICANT: DELLAFIORA, JOSEPH J.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
08/04/93	S.P. MINIMUM	PAID		750.00	
08/11/93	P.B. ATTY. FEE	CHG	35.00		
08/11/93	P.B. MINUTES	CHG	9.00		
04/13/94	P.B. ATTY. FEE	CHG	35.00		
04/13/94	P.B. MINUTES	CHG	40.50		
05/11/94	P.B. ATTY. FEE	CHG	35.00		
05/11/94	P.B. MINUTES	CHG	49.50		
10/14/94	P.B. ENG. FEE	CHG	387.50		
10/19/94	RET. TO APPLICANT	CHG	158.50		
		TOTAL:	750.00	750.00	0.00

*Please issue a check in  
the amount of \$158.50 to:*

*B + M Auto Center  
90 River Road  
New Windsor, N.Y. 12553*

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 10/21/94

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 93-24

NAME: DELLAFIORA, JOSEPH  
APPLICANT: DELLAFIORA, JOSEPH J.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
10/12/94	PLANS STAMPED	APPROVED
05/11/94	P.B. APPEARANCE . P.B. DID A SITE REVIEW BY DRIVE-BY INDIVIDUALLY	ND:WAIVE P.H.
05/11/94	P.B. APPEARANCE - CON'T . ANDY NEEDS DEED & DESCRIPTION - NEED CERTIFICATION FOR TANKS	APPROVE CONDITIONAL
04/13/94	P.B. APPEARANCE	SITE VISIT 4/20/94
04/13/94	P.B. APPEARANCE CON'T . DUMPSTER TO BE MADE OF SAME MATERIAL AS BUILDING	REVISE - LEAD AGENCY
04/06/94	WORK SESSION APPEARANCE	REVISION/NEXT AGENDA
01/24/94	Z.B.A. APPEARANCE	VARIANCE GRANTED
08/04/93	WORK SESSION APPEARANCE	SUBMIT APPLICATION
07/14/93	WORK SESSION APPEARANCE	REVISE & RETURN
06/02/93	WORK SESSION APPEARANCE	REVISE & RETURN
04/21/93	WORK SESSION APPEARANCE	REVISE & RETURN
08/11/83	P.B. APPEARANCE . SITE VISIT REQUIRED AT A FUTURE DATE	REFER TO Z.B.A.

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 05/11/94

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 93-24

NAME: DELLAFIORA, JOSEPH

APPLICANT: DELLAFIORA, JOSEPH J.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	08/05/93	MUNICIPAL HIGHWAY	04/08/94	SUPERSEDED BY REV1
ORIG	08/05/93	MUNICIPAL WATER	01/19/94	APPROVED
ORIG	08/05/93	MUNICIPAL SEWER . OIL/WATER SEPERATOR REQUIRED FOR FLOOR DRAIN IN BAYS . NO DRAINS PERMITTED IN PAINT BOOTH	08/06/93	APPROVED
ORIG	08/05/93	MUNICIPAL SANITARY	04/08/94	SUPERSEDED BY REV1
ORIG	08/05/93	MUNICIPAL FIRE	08/09/93	APPROVED
ORIG	08/05/93	PLANNING BOARD ENGINEER	04/08/94	SUPERSEDED BY REV1
REV1	04/08/94	MUNICIPAL HIGHWAY	05/06/94	SUPERSEDED BY REV2
REV1	04/08/94	MUNICIPAL WATER	04/14/94	APPROVED
REV1	04/08/94	MUNICIPAL SEWER	04/26/94	APPROVED
REV1	04/08/94	MUNICIPAL SANITARY	05/06/94	SUPERSEDED BY REV2
REV1	04/08/94	MUNICIPAL FIRE	04/11/94	APPROVED
REV1	04/08/94	PLANNING BOARD ENGINEER	05/06/94	SUPERSEDED BY REV2
REV1	04/08/94	N.Y.STATE DEPT. TRANSPORTATION . DRIVEWAY SHOULD BE CURBED AND CATCH BASIN RAISED TO GRADE	04/19/94	APPROVED
REV2	05/06/94	MUNICIPAL HIGHWAY	/ /	
REV2	05/06/94	MUNICIPAL WATER	05/09/94	APPROVED
REV2	05/06/94	MUNICIPAL SEWER	/ /	
REV2	05/06/94	MUNICIPAL SANITARY	/ /	
REV2	05/06/94	MUNICIPAL FIRE	05/11/94	APPROVED
REV2	05/06/94	PLANNING BOARD ENGINEER	/ /	

SITE PLAN FEES - TOWN OF NEW WINDSOR

APPLICATION FEE:.....\$ 150.00 Pd  
~~150.00~~

\* \* \* \* \*

ESCROW:

SITE PLANS (\$750.00 - \$2,000.00).....\$ \_\_\_\_\_

MULTI-FAMILY SITE PLANS:

\_\_\_\_\_ UNITS @ \$100.00 PER UNIT (UP TO 40 UNITS)....\$ \_\_\_\_\_

\_\_\_\_\_ UNITS @ \$25.00 PER UNIT (AFTER 40 UNITS).....\$ \_\_\_\_\_

TOTAL ESCROW PAID:.....\$ \_\_\_\_\_

\* \* \* \* \*

PLAN REVIEW FEE: (EXCEPT MULTI-FAMILY) \$ 100.00

PLAN REVIEW FEE (MULTI-FAMILY): A. ~~\$150.00~~  
PLUS \$25.00/UNIT B. \_\_\_\_\_

TOTAL OF A & B: \$ 100.00 (1)

RECREATION FEE: (MULTI-FAMILY)

\$1,000.00 PER UNIT

\_\_\_\_\_ @ \$1,000.00 EA. EQUALS: \$ \_\_\_\_\_  
NUMBER OF UNITS

SITE IMPROVEMENT COST ESTIMATE: \$ 21,590.00

~~A. 4% OF FIRST \$50,000.00~~ A. \_\_\_\_\_  
~~B. 2% OF REMAINDER~~ B. \_\_\_\_\_

TOTAL OF A & B: \$ 431.80 (2)

TOTAL ESCROW PAID:.....\$ 750.00

TO BE DEDUCTED FROM ESCROW: 591.50

RETURN TO APPLICANT: \$ 158.50

ADDITIONAL DUE: \$ \_\_\_\_\_



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
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13 October 1994

**MEMORANDUM**

**TO:** Myra Mason, Planning Board Secretary

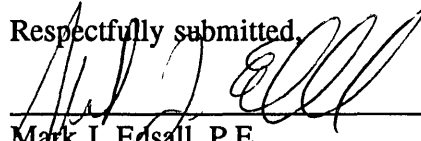
**FROM:** Mark J. Edsall, P.E., Planning Board Engineer

**SUBJECT:** DELLAFIORA SITE PLAN  
NEW WINDSOR PLANNING BOARD NO. 93-24

I have reviewed the revised Cost Estimate dated 3 October 1994 for the subject project. Attached hereto, please find a marked-up version of this Cost Estimate. Please note that the estimate total has been reduced to \$21,590.00.

Please contact me if you have any questions regarding the above.

Respectfully submitted,



Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk  
Encl.as

A:10-13-2E.mk

STEVEN P. DRABICK



PROFESSIONAL LAND SURVEYOR

PO BOX 539, CONTINENTAL RD.  
CORNWALL, NEW YORK 12518

(914) 534-2208

October 3, 1994

Town of New Windsor  
Planning Board  
New Windsor, NY 12553

To Whom It May Concern,

The following are cost estimates for the site plan improvements for Joseph Dellafiora at River Road, New Windsor, NY:

PARKING LOT (Grading & Pavement)

~~\$16,500.00~~

Labor & materials for the following work at above location:

$$190454 \times \$10/54 = \$19,040$$

1. Blacktop parking lot: Level up with Item 4 in the area of 17,137 sq.ft.
2. Install 3" of binder, 1" of top.
3. Remove construction debris from job site.

CONCRETE CURBING

~~3,000.00~~

Labor & materials for the following work at above location:

$$200 \text{ LF} @ \$9/\text{LF} = 1800.00$$

1. Install approximately 200' concrete curbing 14" high, 8" thick at bottom and 6" thick at top.
2. Install expansion joints and water run off weeps.
3. Remove construction debris from job site.

DUMPSTER ENCLOSURE

2,340.00

Labor & materials for the following work at above location:

1. Dumpster enclosure to be 6' high x 12' x 14' with (2) 6'x6' chain link gates.
2. Monolithic 8" footings and 4" floor to be 3,000 psi concrete, walls to be 8"x8"x16 concrete block with duro wall, floor to have 6x6 #10 welded wire mesh.
3. Remove construction debris from job site.

## CONSTRUCTION OF BUILDING ADDITION

~~23,520.00~~

Labor & materials for the following work at  
above location:

*not included  
in s/p estimate.*

1. Install addition to building 28'x30.  
Building walls to be 8"x10"x16" concrete  
block with duro wall. Floor to be 6" thick  
with 6x6 #10 welded wire mesh. Concrete for  
footings & floor to be 3,000 psi;  $\frac{1}{2}$ " perforated  
re-bar in footings.
2. Install (1) 10'x12' overhead garage door, (1)  
3/0x6/8 steel insulated entrance door and (1)  
steel carrier beam for roof rafters. Roof  
rafters to be 2"x10", 16" on center & covered  
with 5/8 exterior plyscore plywood and 20 year  
roof.
3. Remove debris from job site (construction  
debris).

## TREE SCREENING

10@75

750.00

~~550.00~~

1. 10 white pine trees 4-5' in height  
\$55.00/tree.

TOTAL:

~~\$45,360.00~~

\$21,590.00

The above estimates were provided by H. Caston Construction  
General Contractor and Builder, 28 Pommel Drive, Newburgh,  
NY and Woodbury Nurseries, Inc., Route 32, Highland Mills,  
NY.

10/3/94 *cm*

STEVEN P. DRABICK



PROFESSIONAL LAND SURVEYOR

PO BOX 539, CONTINENTAL RD.  
CORNWALL, NEW YORK 12518

(914) 534-2208

October 3, 1994

Town of New Windsor  
Planning Board  
New Windsor, NY 12553

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2. Install 3" of binder, 1" of top.
3. Remove construction debris from job site.

CONCRETE CURBING 3,000.00

Labor & materials for the following work at above location:

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3. Remove construction debris from job site.

DUMPSTER ENCLOSURE 2,340.00

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roof.
3. Remove debris from job site (construction  
debris).

TREE SCREENING

550.00

1. 10 white pine trees 4-5' in height  
\$55.00/tree.

TOTAL:

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The above estimates were provided by H. Caston Construction  
General Contractor and Builder, 28 Pommel Drive, Newburgh,  
NY and Woodbury Nurseries, Inc., Route 32, Highland Mills,  
NY.

10/3/94 (m)

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION  
HIGHWAY WORK PERMIT

8940658

Permit Fee: \$ 200.00  
 Insurance Fee: \$ 150.00  
 Total Received: \$ 350.00  
 Check or M.O. No.: 2612

N/A

Permit No.:  
 Project Identification No.:  
 Expiration Date: 06/01/95  
 SH No.: 1808  
 Deposit Rec. for \$ 0.00  
 Check or M.O. No.:

Dated: / /

\*Permittee:

Estimated Cost of Work Performed in the State Right-of-Way \$ 0.00

JOSEPH J. DELLAFIORA  
 42 FROST LANE  
 CORNWALL, NY 12518  
 att:

Chargeable to Bond No.:  
 or Undertaking on File: (\$ 0.00)

Billing Address: (Complete if different from above)

Return of Deposit Made Payable to: (Complete if different from Permittee)

Under the provisions of the Highway Law or Vehicle &amp; Traffic Law, permission is hereby granted to the permittee to:

CONSTRUCTION OF CURBING 200' WITH REMAINING GRAVEL AREA SCARIFIED AND RESEED. ALL DISTURBED AREAS WITHIN STATE R  
 OW ARE TO BE TOPSOILED, SEED, AND MULCHED.

THE PERMITTEE IS RESPONSIBLE FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC. ANYONE WORKING IN THE STATE  
 HIGHWAY RIGHT-OF-WAY IS REQUIRED TO WEAR HIGH VISIBILITY APPAREL (ORANGE/YELLOW) AND HARD HAT.

County - ORANGE

Municipality - NEW WINDSOR

Route # - 967

as set forth and represented in the attached application at the particular location or area, or over the routes as stated therein, if required; and  
 pursuant to the conditions and regulations general or special, and methods of performing work, if any; all of which are set forth in the  
 application and form of this permit.

Dated at: POUGHKEEPSIE, N.Y.  
 Date Signed: 10/03/94

Commissioner of Transportation

By:

MICHAEL J. MIGNOGNA

## IMPORTANT

THIS PERMIT, WITH APPLICATION AND DRAWING (OR COPIES THEREOF) ATTACHED SHALL BE PLACED IN THE HANDS OF THE CONTRACTOR  
 BEFORE ANY WORK BEGINS. THE HIGHWAY WORK PERMIT SHALL BE AVAILABLE AT THE SITE DURING CONSTRUCTION.

BEFORE WORK IS STARTED AND UPON ITS COMPLETION, THE PERMITTEE ABSOLUTELY MUST NOTIFY THE RESIDENT ENGINEER,

PETER M. TELISKA  
 (914)562-4020

112 DICKSON STREET  
 NEWBURGH, NEW YORK 12550

UPON COMPLETION OF WORK AUTHORIZED, THE FOLLOWING WILL BE COMPLETED, SIGNED BY THE PERMITTEE AND DELIVERED TO THE  
 RESIDENT ENGINEER.

Work authorized by this permit has been completed. Refund of deposit or return/release of bond is requested.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PERMITTEE

\_\_\_\_\_  
AUTHORIZED AGENT (If Any)

Work authorized by this permit has been satisfactorily completed and is accepted. **Reverse side of this form must be completed.**

- ☐ Refund of Deposit is authorized
- ☐ Return of Bond is authorized
- ☐ Amount charged against Bond may be released
- ☐ Retain Bond for future permits
- ☐ Other

\_\_\_\_\_  
DATE

\_\_\_\_\_  
RESIDENT ENGINEER

The Regional Office will forward this form to the Main Office with the appropriate box checked.

- ☐ Permit closed
- ☐ Bond returned/released
- ☐ Refund of Guarantee Deposit on this permit is authorized
- ☐ Other

\_\_\_\_\_  
DATE

\_\_\_\_\_  
REGIONAL TRAFFIC ENGINEER

The issuing authority reserves the right to suspend or revoke this permit, at its discretion without a hearing or the necessity of showing cause, either before or during the operations authorized.

The Permittee will cause an approved copy of the application to be and remain attached hereto until all work under the permit is satisfactorily completed, in accordance with the terms of the attached application. All damaged or disturbed areas resulting from work performed pursuant to this permit will be repaired to the satisfaction of the Department of Transportation.

**\* Upon completion of the work within the state highway right-of-way, authorized by the work permit, the person, firm, corporation, municipality, or state department or agency, and his or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and conditions of the work permit.**

PLANNING BOARD FILE NUMBER: 93-24

MEMORANDUM FOR FILE

DATE: August 9, 1994

On this date: I spoke to Steve Drabick regarding the status - he said he is waiting for the contractor to submit the cost estimate -

I also mentioned to him that normally when the Board sets hours of operation, they are added to the plan - I told him to double check this with Mark Edsall.

9-16-94 Called to check status with Steve Drabick -

I ~~left~~ left a message on his machine to call me.



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.

WILLIAM J. HAUSER, P.E.

MARK J. EDSALL, P.E.

JAMES M. FARR, P.E.

24 June 1994

- ☐ Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ Branch Office  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

MEMORANDUM

TO: Myra Mason, Planning Board Secretary

FROM: Mark J. Edsall, P.E., Planning Board Engineer

SUBJECT: DELLAFIORA SITE PLAN  
NEW WINDSOR PLANNING BOARD NO. 93-24

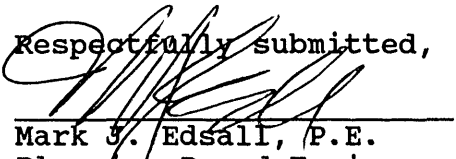
In response to your note regarding the status of the subject project, please be advised of the following:

1. I have received a copy of the transmittal to the Planning Board dated 1 June 1994 from Steve Drabik. Attached to this transmittal were documents which responded to the various questions of the Board. It is my opinion that the deed description describes a single lot and, as well, the letter from Steve Drabik dated 10 June 1994 (copy attached hereto) clarifies the discrepancies in the metes and bounds descriptions. Also included in the description was the gratuitous dedication to the Town of New Windsor for the portion within Silver Spring Road.
2. With regard to the site improvement cost estimate, I find the estimate from H. Caston Construction unacceptable for the purpose intended. The estimate includes interior building work and other elements not part of the key site improvement estimate. Therefore, this estimate should be prepared by the Applicant's Surveyor, indicating the key site improvement item, quantity of same, unit price for completion and the extended cost for each key site item. From this, a total site improvement estimate amount can be determined.

Upon receiving a proper estimate, I will review same and advise you.

3. Until such time that all paperwork has been reviewed and accepted, I cannot provide you with the final engineering review fee.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer  
MJesh a:dell.sh

CC: STEVE DRABIK

STEVEN P. DRABICK



PROFESSIONAL LAND SURVEYOR

PO BOX 539, CONTINENTAL RD.  
CORNWALL, NEW YORK 12518

(914) 534-2208

June 10, 1994

Mr. Mark Edsall  
McGoey, Hauser & Edsall  
Consulting Engineers, PC  
45 Quassaick Avenue  
New Windsor, NY 12553

Dear Mark,

Please find enclosed a copy of the prepared description for the property on River Road now owned by Joseph Dellafiora. The description is based on the findings of a recent field survey completed by my office for Mr. Dellafiora's Site Plan Application.

The description corrects the deficiencies and inadequacies of the current deed of record which, as described, make it impossible to mathematically close the boundaries of the property. Although most of the bounds of the property do, in fact, follow the description of the deed of record, several lines have been changed as a result of the survey; the location of the lines being governed by deed call and found physical evidence of monumentation.

The above information, because of the previous deficiencies and inadequacies of the current deed of record as mentioned, is shown in detail on the map prepared for the site plan application and included as a certified survey as so noted on the map.

Because Mr. Dellafiora took title to the property prior to the completion of the site plan process, the original record description was used for the conveyance and not the above prepared description. The above description has been forwarded to Mr. Dellafiora's attorney to be filed at the Orange County Clerk's Office as soon as possible, at which time I will deliver to you a copy of the official filed record description.

SPD/ldd  
cc: Mr. Dellafiora

Sincerely,

Steven P. Drabick  
P.L.S.

H. CASTON CONSTRUCTION  
General Contractor and Builder  
~~64 Walsh Road~~  
NEWBURGH, NEW YORK 12550  
28 Pommel Drive  
914-564-3706

DATE
May 7, 1994
NUMBER
914-561-4637

B&M Auto Body & Collision  
River Road  
New Windsor, New York 12553

TERMS:

PLEASE DETACH AND RETURN WITH YOUR REMITTANCE

\$

DATE	CHARGES AND CREDITS	BALANCE
	BALANCE FORWARD	
	Labor & materials for the following work at above location:	
	Remove partition walls 20'x18', wiring (electrical), lights, &	
	hot water baseboard heat. Remove 2nd floor beams, flooring &	
	stairs. Sheet rock & tape walls. Fir out, insulate & S/R block	
	walls 2nd floor. Install plumbing for 2nd floor bath, toilet &	
	sink. Install hot water baseboard heat in offices. Cut out	
	block walls & install 2 vinyl thermopane windows. Insulate 2nd	
	floor ceiling beams, S/R & tape. Remove 10'x12' garage door &	
	frame in with 2x6. Insulate & S/R. Install T-11 siding on exte-	
	rior wall. Install (2) 4'x4' plexiglass windows & a 3/0x6/8	
	steel insulated entrance door. Remove old lights in garage area	
	& install (7) 2-tube 4' fluorescent lights. Coat building roof	
	with roof flashing cement & roof coating. Demolish 10'x20'	
	frame bldg & remove debris. Install addition to bldg 28'x30'.	
	Bldg walls to be 8"x10"x16" concrete block with duro wall.	

H. CASTON CONSTRUCTION

Thank You

PAY LAST AMOUNT  
IN THIS COLUMN

H. CASTON CONSTRUCTION  
General Contractor and Builder  
~~64 Walsh Road~~  
NEWBURGH, NEW YORK 12550  
28 Pommel Drive  
914-564-3706

DATE
May 7, 1994
NUMBER
914-561-4637

B&M Auto Body & Collision  
River Road  
New Windsor, New York 12553

TERMS:

PLEASE DETACH AND RETURN WITH YOUR REMITTANCE

\$

DATE	CHARGES AND CREDITS	BALANCE
	BALANCE FORWARD	
	Floor to be 6" thick with 6x6 #10 welded wire mesh. Concrete	
	for footings & floor to be 3,000 psi; 1/2" perforated re-bar in	
	footings. Install (1) 10'x12' garage door, (1) 3/0x6/8 steel	
	entrance door & (1) steel carrier beam for roof rafters. Roof	
	rafters to be 2"x10" 16" on center & covered with 5/8 plywood	
	& 20 year roof. Dumpster enclosure to be 6' highx12'x14' with 2	
	6'x6' chain link gates. Footings & floor 3,000 psi concrete,	
	walls to be 8"x8"x16" concrete block. Blacktop parking lot:	
	level up with Item 4 in the area of 17,137 sq. ft. Install 3" of	
	binder, 1" of top. Install approximately 200' concrete curbing	
	14" high 8" thick. Install expansion joints & water run off	
	weeps. Remove debris.	
	TOTAL COST:	\$56,000.00

H. CASTON CONSTRUCTION

Thank You

PAY LAST AMOUNT  
IN THIS COLUMN



## PETROLEUM BULK STORAGE REGISTRATION CERTIFICATE

NYS DEC - REGION 3  
21 SOUTH PUTT CORNERS ROAD  
NEW PALTZ, NY 12561  
(914) 255-5453



Page 1 of 1

TANK NUMBER	DATE INSTALLED	TANK TYPE	CAPACITY (GALLONS)	DATE LAST TESTED	TESTING DUE DATE	OWNER
1	00/00	Steel/Carbon Steel	1,000	01/89		JOSEPH J. DELLAFIORA P.O. BOX 4745 NEW WINDSOR, NY 12550
2	00/00	Steel/Carbon Steel	1,000			
3	00/00	Steel/Carbon Steel	275			

\*1

**SITE**  
B & M AUTOMOTIVE CENTER  
90 RIVER RD  
NEW WINDSOR, NY 12550

**OPERATOR (Name and Telephone Number)**  
BERY  
(914) 561-4637

**EMERGENCY CONTACT (Name and Telephone Number)**  
JOSEPH J. DELLAFIORA  
(914) 534-9325

As an authorized representative of the above named facility, I affirm under penalty of perjury that the information displayed on this form is correct to the best of my knowledge. Additionally, I recognize that I am responsible for assuring that this facility is in compliance with all sections of 6 NYCRR Parts 612, 613 and 614, not just those cited below:

- The facility must be re-registered if there is a transfer of ownership.
- The Department must be notified within 30 days prior to adding, replacing, reconditioning, or permanently closing a stationary tank.
- The facility must be operated in accordance with the code for storing petroleum, 6 NYCRR Part 613.
- Any new facility or substantially modified facility must comply with the code for new and substantially modified facilities, 6 NYCRR Part 614.
- This certificate must be posted on the premises at all times. Posting must be at the tank, at the entrance of the facility, or the main office where the storage tanks are located.
- Any person with knowledge of a spill, leak or discharge must report the incident to DEC within two hours (1-800-457-7362).

\*1 - Aboveground tanks require monthly visual inspections and documented internal inspections as described in 6 NYCRR Pt. 613.

ISSUED BY <b>Commissioner Thomas C. Jorling</b>	MAILING CORRESPONDENCE <b>J. DELLAFIORA B &amp; M AUTOMOTIVE CENTER 90 RIVER RD. NEW WINDSOR, NY 12550</b>
PETROLEUM BULK STORAGE ID NUMBER <b>3-483508</b>	
DATE ISSUED <b>02/22/94</b>	EXPIRATION DATE <b>02/22/99</b>
FEE PAID <b>\$ 150</b>	

Signature of Authorized Representative/Owner \_\_\_\_\_ Date \_\_\_\_\_

Name of Authorized Representative/Owner (Please Print) \_\_\_\_\_

Title \_\_\_\_\_

THIS REGISTRATION CERTIFICATE IS NON-TRANSFERABLE



RESULTS OF P.B. MEETING

DATE: April 13, 1994

PROJECT NAME: Dellafiora, Joseph S.P. PROJECT NUMBER 93-24

\* \* \* \* \*

LEAD AGENCY:

\* NEGATIVE DEC:

M) V S) D VOTE: A 4 N 0

\* M)    S)    VOTE: A    N   

CARRIED: YES ✓ NO   

\* CARRIED: YES:    NO   

\* \* \* \* \*

PUBLIC HEARING: M)    S)    VOTE: A    N   

WAIVED: YES    NO   

SEND TO OR. CO. PLANNING: M)    S)    VOTE: A    N    YES    NO   

SEND TO DEPT. OF TRANSPORT: M)    S)    VOTE: A    N    YES    NO   

DISAPP: REFER TO Z.B.A.: M)    S)    VOTE: A    N    YES    NO   

RETURN TO WORK SHOP: YES    NO   

APPROVAL:

M)    S)    VOTE: A    N    APPROVED:   

M)    S)    VOTE: A    N    APPR. CONDITIONALLY:   

NEED NEW PLANS: YES    NO   

DISCUSSION/APPROVAL CONDITIONS:   

Dumpster to be made of same material as addition

Site Visit required 4-20-94 @ 6:00 p.m.

Andy needs to see deeds -



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** DELLAFIORA SITE PLAN  
**PROJECT LOCATION:** RIVER ROAD  
SECTION 20-BLOCK 2-LOTS 45 AND 46  
**PROJECT NUMBER:** 93-24  
**DATE:** 13 APRIL 1994  
**DESCRIPTION:** THE APPLICATION INVOLVES A PROPOSED AUTO BODY,  
REPAIR SHOP AND USED CAR SALES ESTABLISHMENT ON  
THE 0.57 +/- ACRE PARCEL. THE PLAN WAS PREVIOUSLY  
REVIEWED AT THE 11 AUGUST 1993 PLANNING BOARD  
MEETING AND REFERRED TO THE ZONING BOARD OF  
APPEALS FOR NECESSARY VARIANCES.

1. It is my understanding that the Applicant has received all necessary variances, both use and area, from the Zoning Board of Appeals for the plan now presented to the Planning Board. The plan reflects the action of the ZBA in the notes located under the bulk table on the plan.
2. The application and plan indicate that the submitted site plan actually consists of two tax lots. Inasmuch as both lots are necessary for the compliance with site plan requirements (and ZBA action), it is my recommendation that the Planning Board require the dissolution of the division line via the formal combination of the lots, as a condition of the approval of this application. The manner in which this can be accomplished should be discussed with the Planning Board Attorney.
3. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
4. The Planning Board should determine, for the record, if a Public Hearing will be necessary for this Site Plan, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.
5. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.

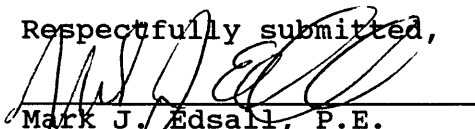
TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

-2-

PROJECT NAME: DELLAFIORA SITE PLAN  
PROJECT LOCATION: RIVER ROAD  
SECTION 20-BLOCK 2-LOTS 45 AND 46  
PROJECT NUMBER: 93-24  
DATE: 13 APRIL 1994

6. Pursuant to a memorandum dated 23 February 1989 from the Town Building Inspector, a detail for the handicapped parking and associated sign should be provided on the plans.
7. The Planning Board should require that a bond estimate be submitted for this Site Plan in accordance with Paragraph A(1)(g) of Chapter 19 of the Town Code.
8. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

A:DELLA.mk

REGULAR ITEMS:

DELLAFIORA, JOSEPH - SITE PLAN (93-24) RIVER ROAD

Steven Drabick appeared before the board for this proposal.

MR. PETRO: You have been before the Zoning Board with this?

MR. DRABICK: Yes, I have.

MR. PETRO: And on the plan are all the Zoning Board variances?

MR. DRABICK: The note under the site plan bulk table. Just to refresh the board, our first appearance before the board was a referral to ZBA seeking this area variance. On February 14, we were granted requested variances. Those to include area variance, use variance and variance setback, variances to accomodate the existing building as well as the proposed addition on the site. It's to that extent that we're presenting to the board this evening a site plan for a proposed utilization of the site as an auto body repair shop and used car dealership. Basically on the plan what we have done is try to utilize the existing grade of the site with the improvements following it. The existing masonry building that is there now will be fully utilized and with a portion of it being a proposed bay and work area as well as an office area with a bathroom and proposed paint booth proposed addition which will adjoin it to the northeast, will be utilized as a proposed one bay area and work area. The existing gravel and shale parking as it is now around the site we're planning to expand and pave as per the use of this site. The pavement will be graded as to maintain and improve what currently is a sheet flow drainage off the site to an existing swale and existing catch basins that lie in the front of the property along River Road. Because the parking in the rear is angled and butts up against the bottom of the bank, we propose a direction of flow entering the site in a counterclockwise motion around the building. Sign at front left part of the building noting one way with additional note that

there's parking in the rear. Now the parking that exists to the left of the building can be accessed directly from the entrance. As far as illumination on the site, there's two existing flood lights in corners of the existing building. There is a proposed flood light for the back corner of the proposed addition. One of the stipulations of the variances that we were granted was one, that no more than 3 displayed vehicles be placed at the front of the building for sale. We have designated three display spaces at the front, three available parking areas in the front left corner of the property. Now the other stipulation was that the existing remains of the garage be removed that used to occupy the front left-hand corner of the property. The framed portion of that garage in fact has been removed, the foundation hasn't been but will be and at that time, that area will be graded to the adjoining property immediately to the south. Also we proposed a short section of evergreen screening right where the existing garage is there and also some screening along the northern property line by the handicapped parking area and I might add also the proposed paved parking lot will also include an enclosed dumpster area.

MR. DUBALDI: Is there anything in there right now?

MR. DRABICK: In the building right now, no, there's been some construction going on inside the building renovating the inside.

MR. LANDER: That was the former Testco was it?

MR. DRABICK: That is correct.

MR. VAN LEEUWEN: That is what I thought it was. I wasn't sure either.

MR. LANDER: Your addition is going to be made out of a what, masonry block?

MR. DRABICK: Right. It will follow the same as the building will there.

MR. LANDER: Now are you going to extend to the parking lot in the back, are you going to disturb this bank

that is in the back there?

MR. DRABICK: No. What we have tried to do is work right where the bottom of the bank exists now, we pushed the parking lot virtually back to the bottom of the bank contours that are shown on the plan are existing contours, that is what's there now and angled the parking spaces just to maintain at least 20 feet clearance space for the building.

MR. LANDER: Do we have anything from fire?

MR. PETRO: It's approved on 4/11/94.

MR. LANDER: We're going to ask you that your dumpster enclosure to be made out of the same material as the addition, only because the chain link doesn't last that long, okay. Just put a couple of balisters in front, you have it on a slab, I'm going to ask you to make it out of the block, only because it lasts longer and it will look better.

MR. DUBALDI: We ask that of all applicants so.

MR. LANDER: If you were just going to renovate the inside of the building and there was a dumpster area there, dumpster pad, then we would, you could leave it that way but--

MR. VAN LEEUWEN: I'd like to see this is a small piece of property, I'd like to suggest, I realize you have got the variance, I'd like to suggest that we set you up for a tour meeting and go out there and take a look. There's not much on the property, I'm telling you, I know the property. I don't think there'd be a problem but I'd still like to look at it.

MR. PETRO: Do you have any problems with the setbacks or anything like that? I see there's nothing in your notes.

MR. EDSALL: Well, the zoning requirements were effectively established by the Zoning Board so they've determined what's acceptable.

MR. LANDER: Where is the sign being located on this piece?

MR. DRABICK: Okay, there's actually two locations for proposed sign, the one sign being 6 by 8 mounted on the face of the building, the second sign we have it shown on the plan, we do want to locate it at the front left-hand corner. Reason we haven't shown it I was under the understanding that zoning requirement is in the process of being changed. Whereas we can move the sign right up to the road line. At the current 15 foot setback, it wouldn't make much sense in putting it there.

MR. PETRO: Where is the handicapped parking?

MR. DRABICK: Located on the front right corner. It's the closest area to the entrance to the office at the site.

MR. LANDER: Framed dwelling to the south of this property here, that is being occupied.

MR. DRABICK: Yes, it is.

MR. LANDER: It's a residence?

MR. DRABICK: Yes.

MR. LANDER: And residence on the north side of that property also?

MR. DRABICK: In the modular dwelling, that is correct.

MR. VAN LEEUWEN: You have got residences on both sides?

MR. DRABICK: Yes.

MR. PETRO: Mike, the existing space on the handicapped I know is eight feet, can the space be eight feet?

MR. BABCOCK: Eight, yes.

MR. PETRO: Spaces in the rear of the property I see

there's center line on 20 foot it goes into the bank or actually off the property line or is that edge of pavement, the 20 foot?

MR. DRABICK: Actually, that is just a line, the actual length of the parking space what's showing is the length of the line of the parking space from the edge of the parking lot to the back of the line is 20 feet.

MR. PETRO: Where would the front of the car be? What are the contour marks on this plan?

MR. DRABICK: Right where it shows existing bottom of bank, it's also the proposed edge of pavement, that edge of the parking lot would run along the bottom of the bank.

MR. PETRO: You don't have 20 foot for a parking spot, you do at the southerly corner of the spot but on the north side of the spot, you probably have about 12 feet there. Looks like cars are going to be sticking out. It should be center.

MR. DUBALDI: That side of it.

MR. DRABICK: Car would pull in, park here and the front right corner bumper of the car would be at the edge of the--

MR. PETRO: It is should be 20 feet from the short end of the spot, not from the long end. When we do that, are we still going to have a 20 foot aisle?

MR. DRABICK: Yes, if you were to draw a parallel line to the back edge of the pavement along the front edge of the proposed parking lots, measure the center of that parking space you would have 20 feet.

MR. PETRO: I see it now.

MR. DRABICK: No matter where you have, you still have the 20 feet.

MR. PETRO: Are the existing fuel pumps to be relocated? It's just the pumps not the tank?



MR. DRABICK: Right, there's a current permit for the tank right now in effect. It's up to date with the inspection. What we propose is to move the pumps back to the face of the proposed addition and place protective concrete bilcos there. Even where they are now, they'd be out of the flow of traffic. If the pumps are moved prior to the construction of the proposed addition, then they'll fall within that existing enclosed fenced area that is there now.

MR. EDSALL: Jim, just a clarification, on those angled parking spaces. In the rear, you're absolutely correct, if you don't take into account that the car bumper could overhang a portion of the slope, the front passenger corner of the vehicle would have to stop at the base of that hill which means the tail end of the car would project into that 20 foot aisleway and scaling wise, that reduces it down to roughly 13 or 15 feet of clear aisleway. If the car's not allowed to project over into the hill, common sense will tell you that it will hang over a certain amount. So I would guess that the lane will be decreased below 20 probably someplace between 15 and 20 so there will be an encroachment, you were correct in your observations.

MR. VAN LEEUWEN: That is one of the reasons I say we have to take a look because there's not much room on the property, it's small.

MR. PETRO: Ron or Carmen, Mr. Van Leeuwen, would you like a site visit? Do you concur with that?

MR. LANDER: Yes.

MR. PETRO: We can do a couple housekeeping items maybe on this.

MR. VAN LEEUWEN: Make a motion that we declare ourselves lead agency.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency

on the Dellafiora site plan on River Road. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. LANDER	AYE
MR. PETRO	AYE
MR. DUBALDI	AYE

MR. LANDER: What's the sight distance on this? The upper, on this entrance here?

MR. DRABICK: Existing sight distance to the north is 340 feet, the sight distance south is 580 feet.

MR. LANDER: Are you going to combine both these lots? There's two lots here.

MR. DRABICK: Currently, yes, there's two existing tax lots that will be combined as one lot.

MR. KRIEGER: As long as you're on that, first of all, could you point out to me the two on the map, the two lots, there's one that small triangular shaped and one is the bulk of it?

MR. DRABICK: Referring to this?

MR. KRIEGER: Two tax lots.

MR. DRABICK: There's the other, the tax lot runs on the southerly side of the property.

MR. VAN LEEUWEN: Where the old garage was.

MR. DRABICK: 42 feet parallel to the south line which is, we show it as a dotted line and deed line.

MR. KRIEGER: Before I can advise the board as to what is the best way to accomplish that is what I would like to do is see the existing deeds for two parcels.

MR. PETRO: Just to save us time, we're going to do a site visit, get together with this gentleman.

MR. KRIEGER: Send me the deeds, I can look at them and then I can tell him, I can determine later but I need to see the deeds.

MR. PETRO: You work on that, revise it, we'll set a site visit. You want to set a site visit now or at the end of the meeting?

MR. VAN LEEUWEN: Let's do it at the end of the meeting.

MR. PETRO: We'll advise you of when we're going to take a look so you and the applicant would like to be there.

MR. LANDER: This has been to the DOT?

MR. DRABICK: It's at the DOT now.

MR. PETRO: As far as public hearing goes, what's immediately to your north and south and east and west? Why don't you give us a quick breakdown.

MR. VAN LEEUWEN: Both houses on both sides.

MR. DRABICK: Immediately to the north, there's two residences and from there on it's fuel tanks. To the south is a number of residences and several vacant lots.

MR. DUBALDI: Litron is right across the street, right?

MR. PETRO: We also had a body shop just up the road from this not too long ago.

MR. VAN LEEUWEN: I think we should make that decision when we check the property.

MR. PETRO: Understood. Ron, Carmen, do you agree?

MR. DUBALDI: Yes.

MR. LANDER: Yes.

April 13, 1994

12

MR. PETRO: Negative dec, we can also do at another time then, okay, Steve thank you. We're going to take a look and we'll put you right back on the agenda.

MR. DRABICK: Thank you.



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

(914)563-4630

February 3, 1994  
FAX: 914-563-4693

Mr. Joseph Dellafiora  
B&M AUTOMOTIVE CENTER  
42 Frost Lane  
Cornwall, N. Y. 12518

RE: APPLICATION FOR USE/AREA/SIGN VARIANCES  
#93-48

Dear Mr. Dellafiora:

This is to confirm that the Zoning Board of Appeals at its January 24, 1994 meeting voted to GRANT your application for a use variance for an auto body repair shop and used car sales, several area variances, and sign variances for the construction of an addition to the existing masonry building located on River Road in the Town of New Windsor in a PI zone.

Formal decision will be drafted at a later date and acted upon by the Board. You will be receiving a copy by return mail.

Very truly yours,

PATRICIA A. BARNHART  
Secretary

/pab

cc: Michael Babcock, B. I.  
Key Bank - Attn: John R. Hutton, Sr. V.P.

PUBLIC HEARING:

DELLAFIORA, JOSEPH

MR. NUGENT: Request for use variance for auto body repair and used car dealership, and construction of a proposed addition to existing masonry building with (1) 56,655 s.f. lot area, (2) 37.2 ft. front yard on River Road, (3) 6.7 ft. front yard on Silver spring Road, (4) 29.2 ft. front yard on abandoned raod, (5) 8.5 ft. maximum building height variances and variances from Sections 48-14A(1)(b) and 48-14A(4) requiring that an accessory building be set back 10 ft. from any lot line and that no such building shall project nearer to street than principal building, and (5) sign variances at location on River Road in a PI zone.

Mr. Joseph Dellafiora and Steven Drabick appeared before the board for this proposal.

MR. LUCIA: As long as that is, we need to add a couple items to the agenda as it's dated there with regard to the existing frame garage on the front corner of the property two variances are inherent in that, a 9.5 foot front yard variance and ten foot side yard variance because it sits exactly on the property line in the front and I guess only half a foot off the property line on the side yard. So they are inherent in the same application. And just for the record, we should specify the sign variances apparently this is just for total sign area, he's permitted total sign area of 60 square feet, no single sign either freestanding or wall sign exceeds that but the total of both combined the 80 square feet so he needs a 20 square foot sign area variance. It's all in the Notice of Denial, I think.

MR. DELLAFIORA: Well we're all here for the change to a bulk C zone bulk is that from the preliminary hearing the property I purchased in October, we started this back in April of '93 when it was owned by ACS and eventually my contract for sale, I had to purchase the property from ACS it's been empty for almost two years now. ACS properties Inc. foreclosed on it from Big S back in May, I believe of '93. The whole purpose, I have a body shop in Newburgh and I have a used car lot

in Cornwall and the property here was appealing to me being as there is a body shop right down the road, I knew the people there and I think it had a lot of benefits to me. I can add that little section there, I'm not going into a big time body work. I mainly deal with my own cars so I'm just trying to get enough area to do that, not too much drive in, just deal with the wholesale. I'm a dealer at the Newburgh Auction. There will be fences, there's a fenced in area in the picture is where the proposed addition is going to go. The pictures that we took and there will be a fenced in area from the front of the buiding extending out once the extension is put up to secure the area. One sign we're talking about is right along at the traffic way as you enter is the sign that I had put in the application for. There's also a shack in the front that I am going to rehabilitate where I can use it as a storage shed. It's a wooden shack just for fenders and sheet metal that is about all I can put in there? As per the site plan, we collided all the parking facilities, I believe we need and I just want to improve the property and make it worthwhile. There's nothing else I can do with the property. I got involved where it was push or shove where I had to buy it. Walsh Road is where I deal with the auction. I painted 120 cars for the auction the last couple of years. That is where I pick up and drop them on Walsh Road. That is one of the reasons I first noticed the building. I got interested in it and that is my business without being able to do this, it serves no purpose to me at all. All I can say is that I want to make an improvement to the area and hopefully make a little nice livelihood. I know the other place that was there Cimorelli then it went to another gentleman. They went out of business. He had done very good business down there. I think he had a little rent dispute with the owners, that is why he moved out. It's a good area. It's got good traffic count and I can't see you know doing anything but improving the building that has been laying empty for almost two years now. I think the tank guys were the previous renters going back a few years ago.

MR. LANGANKE: Are you planning to repair cars here also?

MR. DELLAFIORA: Hopefully, I plan with the extension it depends how much usage I can get out of that, depends what I am doing with my own body shop cars but I'm a registered repair shop now I'm extending into the auto body part of it here.

MR. LANGANKE: Are you planning on selling cars here also?

MR. DELLAFIORA: Nope. I sell at the auction wholesale. I like to leave the option to leave one or two there, that is why I put in for the variance to leave a couple there while they are finished before.

MR. NUGENT: How many cars are going to be left there at night?

MR. DELLAFIORA: At night?

MR. NUGENT: Are there going to be cars parked there at night? In other words, stored on the outside of the building?

MR. DELLAFIORA: Yeah, that is why.

MR. NUGENT: Inside the fence?

MR. DELLAFIORA: Everything from the fence back.

MR. NUGENT: A lot of people's concerns are junk cars.

MR. DELLAFIORA: No, that is why I'm going to put a fence up for my own protection.

MR. TORLEY: What kind of fence?

MR. DELLAFIORA: Chain link existing now, I'm just going to extend it.

MR. TORLEY: Cars that will be out there will not be junkers for parts but ones that are repairing?

MR. DELLAFIORA: No. I sell them. I don't, and I repair them. The only ones that would be in the yard



would be cars waiting to be repaired or cars that are finished and waiting for the auction. Auction only runs once a week on Wednesday.

MR. TORLEY: You would not anticipate any one car being out there for more than a couple weeks?

MR. DELLAFIORA: Yeah.

MR. TORLEY: And you say this building has been vacant for several years?

MR. DELLAFIORA: As far as I can find out the tank guys, whoever they were were the last occupants and Big Saver was the owner and he stored his trucks there for a while and then he went bankrupt and ACS Properties had to foreclose on him and took it back and it's been empty at least 18 months to my knowledge.

MR. TORLEY: You do not feel that there are practical uses or economic uses that would fit the zoning you're asking for a use variance?

MR. DELLAFIORA: That is why I am asking for a use variance. It's too small for industrial, as far as I can see. What I have learned from ACS Properties, ACS couldn't rent it to anyone for storage or whatever he had it on the market for a while for rental and he couldn't find anybody cause it isn't that big. As it sits now, there's an office space in it that takes away from the actual size.

MR. TORLEY: Your belief is that this property will not be usable under the existing zoning?

MR. DELLAFIORA: From the history and the position I'm in, it's not.

MR. NUGENT: Your areas that you are going to have are they going to be lighted?

MR. DELLAFIORA: There's lighting on there now. Also lighting on the front corner and on the back the very front corner, as you look at the building, there's a mercury vapor light there and there's one in the rear

also and I hope to put a few more depending on how--

MR. TORLEY: Sir, should you be granted the variances, you'd be going before the Planning Board for site plan approval?

MR. DELLAFIORA: Yes.

MR. LANGANKE: How many people are going to be working there?

MR. DELLAFIORA: Two, not including myself, two workers.

MR. LANGANKE: So there will be always be somebody down there?

MR. DELLAFIORA: Two workers from 8 in the morning till 5 in the afternoon.

MR. LUCIA: Property is substantially undersized for either the PI zone or for C zone in the type of uses you're looking for, to somewhat ameliorate the applicant's burden of proof you'd be interested to know on November 16 of 1970, the ZBA granted is 20,000 square foot lot area variance for a then owner of the building to operate storage and sales of building supplies business that was Ed Jolly, I think.

MR. NUGENT: What year was that?

MR. LUCIA: '70 I think it was. Mr. Dellafiora, I have some questions. Let's do the use variance first because they are somewhat different tests. The task on a use variance is unnecessary hardship and in order to demonstrate that you need to show the board that for each and every permitted use under the zoning regulations, you cannot realize a reasonable return provided that return is substantially demonstrated by competent financial evidence for every permitted use you feel the building is undersized?

MR. DELLAFIORA: I believe so and like I said from the past history of being in foreclosure for one person not being able to do anything with it and ACS Properties

couldn't do anything with it.

MR. LUCIA: Since this was a recent purchase, how was it that you came to buy the property you were just anticipating?

MR. DELLAFIORA: Well, no, I pass it every day going to where I am now and I also do business with the auction on Walsh Road and being in the body business, Mr. Cimorelli's son used to work right down the road so I have been in the area. I live in Cornwall and work in Newburgh so I've passed it numerous occasions.

MR. LUCIA: When you went into contract for the property, were you unaware that variances might be required?

MR. DELLAFIORA: No, we were aware of it. The initial application was ACS Properties and what happened was he gave me an extension because we couldn't get before the board and he wouldn't give me a second extension.

MR. LUCIA: Do you feel that your seller gave you some accommodation on the sales price because the property was undersized for PI uses?

MR. DELLAFIORA: I believe so.

MR. LUCIA: Had it been usable for any purpose in the PI zone, do you think he could have sold it for a lot more?

MR. DELLAFIORA: He was trying to rent it and actually when he took it back in foreclosure, told me that he couldn't rent it and that is why he came down on his price and he would have stayed aboard but he was just, he couldn't, he had a board to answer to, I believe cause we were in contract from April on and they wouldn't give him an extension. Otherwise, he would have been doing this.

MR. LUCIA: If this board does not give you a use variance, is the property worth to you what you paid for it?

MR. DELLAFIORA: It's not worth anything to me, not worth anything.

MR. LUCIA: Is the hardship relating to the property unique in other words is it different from other properties in the general neighborhood?

MR. DELLAFIORA: Well, like I said, within a half a mile there's another body shop and I don't know what commercial is, there's a bar and restaurant within quarter of a mile of the place and storage tanks and factories. I don't know what exactly falls into PI but there's one body shop within a half a mile, quarter mile of it right now.

MR. LUCIA: I think all those separate, maybe the tanks would not be uses. Anyway, do you know if the other body shop property is larger than yours?

MR. DELLAFIORA: I think the building is larger. The property might be smaller. Steve Drabick is the who who drew up the site plan.

MR. LUCIA: If you would just go on and just explain to the board some of the other uses up and down River Road in this zone.

MR. DELLAFIORA: In the zone everybody knows tank farm, most of them were abandoned. There's three, two or three operating, Litron Factory, I'm not sure what they make, factory almost directly across, fixtures lights, and Afron Fuel Oil right directly across the street, he just moved back over there and basically that is what it is, abandoned house about 100 yards south and there's a bar and restaurant within the vicinity. Otherwise, it's a few residential homes.

MR. LUCIA: The PI uses, the tank farms are on much larger pieces of property?

MR. DELLAFIORA: Yes.

MR. LUCIA: And the other conforming uses, the body shop, residences, the bar are on relatively small pieces?

MR. DELLAFIORA: Yeah, I would say all small.

MR. LUCIA: Do you feel that if this board should grant you a use variance it will not change the essential character of the neighborhood?

MR. DELLAVIORA: I think it would improve the character of the neighborhood. As you can see the pictures now it's just, and I've done some improvement, I cut down some weeds already but it was just the enclosed area with the fence was just all grown in already. The building's been empty and abandoned and I'm just going to improve it hopefully bring it back to life and make something of it.

MR. LUCIA: Last test on use variances, the hardship was not self-created, meaning that you didn't cause this. Now obviously, you didn't create the undersized lot nor did you put this building in its present location which requires a number of variances but you did buy it in that condition. If you could, I'd just like you to speak to that issue a little bit.

MR. DELLAFIORA: To be perfectly honest, I was caught in a failsafe situation where I did enter hoping that I wouldn't have to be caught and it would be ACS Properties getting the approval in order to sell. But like I said outside of my hands and seeing the property as it is set, I took the shot thinking that improving a piece of property that laid empty for two years in the neighborhood that is mostly industrialized anyway that I would be able to appeal to you people and get it going.

MR. LUCIA: Let's move on to the area variance now which is a number of different tasks that is the balancing test, the benefit to you as against the detriment to it public health, safety and welfare. Do you feel that an undesirable change will be produced in the character of the neighborhood or detriment to nearby properties by granting this area variance?

MR. DELLAFIORA: No, I don't.

MR. LUCIA: Some of this we've already touched on is the benefit which you seek here achievable by some other method feasible for you to pursue other than an area variance?

MR. DELLAFIORA: No.

MR. LUCIA: Is the requested area variance substantial as compared to other area variances? In this case that is really in terms of numbers?

MR. DELLAFIORA: I think a few of them area-wise are.

MR. LUCIA: Do you have any indication of how old the building is?

MR. DELLAFIORA: No, I'm not positive at all. Late '40's, I would assume.

MR. LUCIA: Pre-existing zoning.

MR. DELLAFIORA: I'm not positive.

MR. LANGANKE: Is that the block building?

MR. DELLAFIORA: Jolly built that place.

MR. NUGENT: He got a variance in 1970.

MR. LUCIA: I don't have any indication of what the zoning was at that point but I'm sure it was.

MRS. BARNHART: It doesn't say.

MR. LUCIA: The prior variance at least with regard to the lot area is somewhat mitigated because in 1970, the then Zoning Board saw a problem and possibly, because a change in the zoning ordinance over the years, possibly because of your use that variance request is now larger but I think the board sees that there was historically a problem with the lot area on this. Do you feel that the proposed variance will have an adverse effect or impact or physical or environmental conditions in the neighborhood or zoning district?

MR. DELLAFIORA: No, it's a positive effect.

MR. LUCIA: And was it self-created? I think we already touched on that for a use variance. The board unfortunately cannot vote on your application tonight since this is a use variance, it had to go to the Orange County Department of Planning for review. That notice under Section 239 M of the General Municipal Law went out on December 16. They have not responded to us as yet and we, jurisdiction wise, are required to give them 30 days so this board just doesn't have jurisdiction to vote. We have to adjourn your hearing to the next meeting and at that point the 30 days will have passed but we can pretty much do everything else at this meeting anyway.

MR. NUGENT: Everything up to the final vote.

MR. LUCIA: We can hear the public, if anyone wants to speak on the issue. Just a couple other things Mr. Dellafiora, thank you for providing copy of your title report. I notice in there it turns out a number of easements and covenants and restrictions, things that are typical for most titles on real property. Is there anything to your knowledge in the title to the property which would prevent you from maintaining the use which you propose to put on this property or the area of the property concerning which you're now seeking a variance?

MR. DELLAFIORA: No, I'm not aware of it, none that we found.

MR. LUCIA: I notice also in looking at the title report it turned out a pipe line easement that I gather cuts across this property, prior owner named Tubbs to a Afron's as well as your line easement. Were those easement areas deducted out in figuring net area for the area variance?

MR. DRABICK: Yes, they were, yes.

MR. LUCIA: Just for our purposes, we'll have to, they've completed short form environmental assessment form, we need the reverse side of it in the file for

this board to make a finding but we can take care of it at the next meeting. SEQRA motion we'll have to do at the next meeting also.

MR. TORLEY: Sir, I see in your plans there's a paint booth, other types of painting activities, you do not feel that these will have any adverse impact on the neighborhood?

MR. DELLAFIORA: No, they have to be approved by the DEC and it's all, there's a stack permit has to be issued to show what is going to be put out into the environment and that all has to be okayed by the DEC before I can operate.

MR. TORLEY: There will be no junkers sitting out there?

MR. DELLAFIORA: No junkers at all.

MR. TORLEY: You're dealing with the parts, you're going to have damaged fenders, where are they going go to be?

MR. DELLAFIORA: Hopefully the shack at the front is where I'm going to store the old sheet metal before we take it to Consolidated or my regular guy picks it up and like I said, with the fenced-in area, anything that we're working on that might be a part would be behind the fenced-in area.

MR. TORLEY: But any scrap metal would be in the shed, not outside?

MR. DELLAFIORA: No, you're not allowed to do that anymore either which is good.

MR. TORLEY: Not allowed and what people do--

MR. DELLAFIORA: I abide by the laws put down.

MR. LANGANKE: I'm having a real problem with the shed, I notice that it's not in any of the photographs but have any of you been down there?



MR. NUGENT: Was a garage there.

MR. LANGANKE: That is a real monstrosity.

MR. TANNER: It's also in a poor location. It's right on the roadway and it's on the property line. I'd rather see that removed and if he is going to store anything, store it behind that fence, put a shed back there or something and get that out from right out by the roadway.

MR. NUGENT: On the drawing doesn't it show a dumpster in the back?

MR. DELLAFIORA: Yes.

MR. NUGENT: Strictly for garbage?

MR. DELLAFIORA: For garbage only.

MR. TANNER: He's got room to move it behind the fence and I'd prefer to see it back there.

MR. TORLEY: Thinking you may find it cheaper to build something new than try to fix that garage up.

MR. DELLAFIORA: Everything is proposed that is what we hope to do but I wouldn't spend a ton of money. It might be easier to just take it down and buy one of those \$1,200 sheds in the back.

MR. TANNER: Having looked at it that might be your cheaper option and it would certainly clean up the front of the building. I mean no matter what you do to that building, it's still going to be sticking right out there on the roadway and from your point of view, they are going to have better sight line for the property if that is gone.

MR. TORLEY: And a lot better security too.

MR. DELLAFIORA: I don't have any problems with that.

MR. LUCIA: The board is not requiring you to remove the shed but you're looking for a hundred percent

variances on that building which is as high a threshold as you're going to get on an area variance. We'll certainly listen to your proposal.

MR. DRABICK: In view of that, it's a very good idea. The only thing I can see in placing another shed structure the most likely place it would be placed would be, would be bordering the so-called abandoned road at which point cause of the area that we're dealing with here, we're going to be looking at variances then for being up against the abandoned road. And again I bring up the abandoned road, we call it an abandoned road, it has never been officially abandoned. The tax maps show existing right-of-way still along that side of the property although the adjoining deed descriptions do not recognize the right-of-way of that road.

MR. TANNER: How far?

MR. DRABICK: Would have to be 30 foot, a 50 foot road.

MR. LUCIA: He's looking for a variance of zero offset, even if he put it up against the abandoned road the board would view that more favorably than on River Road. What I might suggest is if you can redo the map by the time the next hearing and come up with a proposed location if that involves a, see what difference variances than what you're applying for, it's all inherent in the same package. It's less onerous from this board's standpoint for you to move to it to an abandoned road than on River Road. So I don't see any problem with the board considering any variances that might be inherent in moving the shed at the next meeting, if that is what you decide to do.

MR. TORLEY: Close that door too hard it's going to come down on you anyway.

MR. TANNER: That is the only problem I have.

MR. LUCIA: What I suggest if you do that, get the maps to Mike cause he will have to revise the Notice of Denial which we need before we can proceed. But it can be done by the next meeting, if that is acceptable to

you.

MR. NUGENT: Judge I'd like to open it up to the public. Anybody have any comments, please keep them brief and don't be repetitious.

MR. RICHARD OSNER: 28 Bethlehem Road. I used to own that building and getting rid of the shed will improve that property completely. The only objection I have here is if you are going to have a body shop, just to repair cars, that is all right but a body shop and a dealership you're going to run into problema with a lot of cars around.

MR. DELLAFIORA: It's not an a dealership. I'm just a wholesaler.

MR. OSNER: It says dealership and that could be corrected, I'd be happy. I on property that is on the back of it Silver Springs Road and that is a great building, 12 inch block building, you'll never go wrong.

MR. DELLAFIORA: Solid structure.

MR. OSNER: And as far as I'm concerned, the only thing is it's on a slight curve for access getting in and out, that is why we put the driveway on that side there was one going through it all the way but the neighbor on the north side objected to it cause I used to plow the snow, I opened it up but she still was aggravated. That is the only thing I can see but the shed that has got to go.

MR. TORLEY: That is your prime objection?

MR. OSNER: That is the only thing it should go for safety sake.

MR. LUCIA: Mr. Osner, just so I am clear, the shed you're objecting to but if the applicant agrees to put an equivalent length storage area in the back, you have no problem with that?

MR. OSNER: No problem.

MR. LUCIA: How about the use you said you did not have a problem with a body shop?

MR. OSNER: I have no trouble with body shop at all. If it's a body shop that is going to produce good cars for auction but the dealership part in there I have a question.

MR. LUCIA: Just from the board's standpoint, is it a question or are you opposed to any auto dealership in there?

MR. OSNER: I'm opposed to it all right.

MR. LUCIA: I just need to know where he stands.

MR. OSNER: You either say one or the other.

MR. LUCIA: Are you opposed to it on the basis that you don't think the property can accommodate it? It's too small? I'd just like you to explain.

MR. OSNER: I think it would be too much activity that that property can maintain.

MR. LUCIA: When you say activity, that is traffic flow in and out of the River Road?

MR. DELLAFIORA: Picturing that like as a Ford dealership?

MR. OSNER: Used cars.

MR. LUCIA: Is there a sight distance problem?

MR. OSNER: No, no that is all I have.

MR. LANGANKE: So far we've decided that it is not going to be a used car lot, right?

MR. LUCIA: Well, he's applying for a use variance for auto body repair and used car dealership so if he granted that use, he can use it. Property is relatively small, I guess what the board has to decide

how much traffic for an operation of this size that is also an auto body shop is going to generate.

MR. DELLAFIORA: I'd be glad to put a limit if I would have to put a limit of how many cars I have to leave out front. I don't know if you are empowered to do that. Like I said, I have no intention of putting 20, 30 cars there.

MR. NUGENT: Not something like over by Gus's Tavern now?

MR. DELLAFIORA: No, no.

MR. TORLEY: Your primary intent is wholesale, not retail.

MR. DELLAFIORA: Yes, like I said, if I get something real nice, one or two vehicles out front, I mean that is the extent I do right now.

MR. TANNER: Three would be a number you'd be comfortable with?

MR. DELLAFIORA: Three, five, it's located in Cornwall all right three, three to five.

MR. TORLEY: No more than three cars out there?

MR. OSNER: Yes, that is no problem.

MR. DELLAFIORA: That is fine with me.

MR. NUGENT: Anyone else from the audience that would like to speak? Hearing none, I'll close the public hearing and open it back up to the board.

MR. LUCIA: We can't close the public hearing we need to adjourn it.

MR. NUGENT: Adjourn and we can't do anything further at this point.

MR. LANGANKE: How long does this gentlemen have to wait for the County to respond?

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MRS. BARHNART: They never respond, I'll tell you right now.

MR. LUCIA: By our next meeting we can vote.

MR. NUGENT: You're finished for tonight.

MR. LUCIA: I think we need a motion to adjourn the public hearing to January 24.

MR. TANNER: Make a motion we adjourn it till the 24th.

MR. LANGANKE: Second it.

ROLL CALL

MR. HOGAN	AYE
MR. LANGANKE	AYE
MR. TANNER	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

(20-2-45/46)

-----X  
In the Matter of the Application of

JOSEPH DELLAFIORA,

DECISION GRANTING  
USE/AREA/SIGN  
VARIANCES

#93-48.  
-----X

WHEREAS, JOSEPH DELLAFIORA, 42 Frost Lane, Cornwall, N. Y. 12518, has made application before the Zoning Board of Appeals for a use variance to operate an auto repair shop and used car sales in a PI zone, 56,655 s.f. lot area variance, 37.2 ft. front yard variance (River Road), 6.7 ft. front yard variance (Silver Spring Road), 29.2 ft. front yard variance (abandoned roadway), variances from Sections 48-14A(1)(b) and 48-14A(4) of the Supplementary Yard Regulations, requiring that accessory buildings be set back 10 ft. from any lot line and that no such building shall project nearer to street than principal building, 8.5 ft. maximum building height and 20 s.f. sign area variance for one freestanding sign and one wall sign, for his location on River Road and Clinton Street in a PI zone; and

WHEREAS, a public hearing was held on the 10th day of January, 1994 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York, and was adjourned to and continued on the 24th day of January, 1994; and

WHEREAS, the applicant, JOSEPH DELLAFIORA, was present along with Steven P. Drabick, L.S. at the public hearing, and both spoke in support of the application; and

WHEREAS, there were two spectators present at one of the public hearing dates, to wit, Mr. Richard A. Ostner and Ms. Christine Ostner, both residing at 82 Bethlehem Road, New Windsor, New York. Mr. Ostner stated that he is not opposed to the application for a body shop to repair cars but he would have an objection to having a dealership at this location. Applicant stated to Mr. Ostner that there will be no dealership, just the wholesaling of used cars. Mr. Ostner, who used to own the property in question, suggested that the old shed located on the front corner of the property be removed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that the applicant is seeking permission to operate an auto body repair shop and used car sales which use is not permitted in a PI zone. The evidence also shows that applicant is seeking the above-mentioned area and sign variances in order to meet the requirements of the PI zone.

3. The evidence presented by the applicant indicated that because the property is located in a PI zone, and the requirements of the C zone are being utilized in order to satisfy the auto body repair use, it becomes necessary for applicant to apply for several area variances since the property in question does not meet any of the area requirements in the PI or C zone.

5. The applicant presented additional evidence to show that the neighborhood presently contains other uses which are similar to the proposed use. The applicant indicated that there was an existing auto body repair shop down the road, a bar, a fuel tank farm, a factory and some residences located in the immediate area.

6. In connection with the SEQRA process, the Zoning Board of Appeals of the Town of New Windsor has declared itself an involved agency in regard to the review of the applicant's request for a use variance and also has declared a negative declaration since it is the finding of this Board that the applicant has submitted a complete SEQRA application to this Board.

7. The evidence shows that applicant is also seeking permission to vary the provisions of the bulk regulations relating to lot area, front yard on River Road, front yard on Silver Spring Road, and front yard on the abandoned roadway, maximum building height and sign area variances in order to construct an addition to the existing block building located on River Road in a PI zone.

8. The evidence presented by the applicant substantiated the fact that a variance for less than the allowable lot area, front yard, more than the allowable building height and signage would be required in order to allow the construction of the proposed addition, which otherwise would conform to the bulk regulations in the PI zone.

9. The evidence presented on behalf of the applicant further showed that there is an old shed located on the front corner of the subject parcel which would require a 10 ft. front yard and 10 ft. side yard variance, and variances from Section 48-14A(1)(b) and 48-14A(4) of the Supplementary Yard Regulations.

10. The evidence presented on behalf of the applicant also indicated that it is necessary for the applicant to construct an addition to the existing building because the floor area is too small to operate a state registered automobile repair shop with special emphasis on auto body repairs. Applicant also stated that he deals in wholesaling as a dealer through the Newburgh Auction.

11. Given the constraints imposed by the PI zone, the multiple front yards, the zoning district boundary, and the required size of the proposed addition, it is the finding of this board that the proposed location for this addition is the only practical location on the parcel.

12. The evidence presented by the applicant indicated that



the parcel and the existing building thereon have existed since before 1970 when the original owner who constructed the building did obtain an area variance from the ZBA on 11/16/70.

6. It is the finding of this Board that the benefit to the applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that the requested variances are the minimum variance necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT (1) 56,655 s.f. lot area, (2) 37.2 ft. front yard on River Road, (3) 6.7 ft. front yard on Silver Spring Road, (4) 29.2 ft. front yard on abandoned road, (5) 8.5 ft. maximum building height variances, and since applicant has offered to remove the old garage on the front corner of the lot, no variance for the accessory building are necessary, 20 s.f. sign area variances for one freestanding sign and one building sign and a use variance to operate an auto body repair shop and used car sales with the following restrictions: (1) THAT APPLICANT HAVE NO MORE THAN THREE CARS FOR SALE IN FRONT OF THE BUILDING IN QUESTION, and (2) THAT APPLICANT REMOVE THE OLD GARAGE ON THE FRONT CORNER OF THE PROPERTY, on applicant's property at the above location, in a PI zone, as sought by applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: February 14, 1994.

---

Chairman

(ZBA DISK#10-020294.JD)

the neighborhood surrounding the subject site is devoted to mixed commercial and retail services as well as to residential use. The properties in the neighborhood fronting on River Road consist of a vacant auto body repair shop, a bar, oil tank farms and a factory.

13. The evidence presented by the applicant indicated that he will require a small freestanding sign and a small wall sign creating a sign variance request of 20 s.f. Since this will be a new operation on River Road, applicant feels that he must have signage in order to identify his operation to passing motorists who normally travel River Road at speeds upwards of 30 mph.

14. It is the finding of this Board that the proposed addition will expand the scope of the applicant's operation but will not generate substantially greater impacts on the neighboring properties than are presently generated in this area.

15. It is the finding of this Board that, given the constraints of the site, the proposed operation will greatly improve the area since the existing building is now vacant and unkempt.

16. Given these factors, it is the finding of this Board that the proposed addition will not have an adverse effect on property values in the neighborhood.

17. The evidence presented by applicant substantiated the fact that the variance, if granted, would not have a negative impact on the physical or environmental conditions in the neighborhood.

18. It is the finding of this Board that the proposed use, area and sign variances are not unreasonable and will not adversely impact the public health, safety and welfare.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

3. The requested variances are not substantial in relation to the bulk regulations for sign and area.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the applicant faces in conforming to the bulk regulations is partially self-created since applicant purchased the property knowing it was too small to operate a commercial auto body repair shop. However, the constraints of

ZONING BOARD OF APPEALS  
Regular Session  
January 24, 1994

AGENDA:

7:30 p.m. - ROLL CALL

Motion to accept minutes of the 01/10/94 meeting as written if available.

PRELIMINARY MEETINGS:

*SET UP FOR P/H*

1. ROLLER, ARTHUR - Request for 7 ft. side yard and 7 ft. rear yard variance for existing shed at 15 Continental Drive in an R-4 zone. (45-4-4).

*48-14 A-1-B*

*SET UP FOR P/H*

2. SARTORI, JOHN - Request for 7 ft. side yard variance for existing pool and deck located at 12 Farmstead Road in an R-4 zone. (27-4-8).

PUBLIC HEARINGS:

*APPROVED*

3. *cc file* DELLAFIORA, JOSEPH - Public hearing continued.

Decision-Request for use variance for auto body repair and used car dealership, and construction of a proposed addition to existing masonry building with (1) 56,655 s.f. lot area, (2) 37.2 ft. front yard on River Rd., (3) 6.7 ft. front yard on Silver Spring Road, (4) 29.2 ft. front yard on abandoned road, (5) 8.5 ft. maximum bldg. hgt. variances, (6) 9.5 ft. front yard for accessory bldg., (7) 10 ft. side yard variance for accessory bldg., variances from Sections 48-14A(1)(b) and 48-14A(4) requiring that an accessory bldg. be set back 10 ft. from any lot line and that no such building shall project nearer to street than principal bldg.; and (5) sign variances at location on River Road in a PI zone. (20-2-45 & 46).

*APPROVED*

4. PHILLIPS, CHARLES - Public hearing continued. Applicant to furnish updated survey with distance from porch to lot line at 73 Cedar Avenue. Original request for 9 ft. side yard variance for existing enclosed porch in an R-4 zone. (16-4-30).

*APPROVED*

5. VASSEGHI/BUCKNER - Request for 25 ft. rear yard variance to construct addition at 45 Clintonwood Drive in an R-4 zone. (19-4-38).

*APPROVED*

6. RUMSEY, JACQUELINE - Request for 7 ft. 8 in. side yard variance for existing cabana and 5 ft. 6 in. side yard variance for existing inground pool at 392 Union Avenue in an R-4 zone. (4-1-53).

FORMAL DECISIONS: (1) SWEENEY  
(2) PACIONE

PAT - 563-4630 (O)  
562-7107 (H)

*NEED TO CHECK IF SHE NEED BPS + CO'S*

*SCANNY NEED TO CALL MRS. RUMSEY TO MAKE INSPECTION OF POOL + CABANA -*

ZONING BOARD OF APPEALS  
Reorganizational Meeting  
January 10, 1994

48

AGENDA:

7:30 P.M. - ROLL CALL

Motion to accept minutes of the 12/13/93 meeting as written.

PRELIMINARY MEETING:

- ~~NO SHOW~~  
1. SARTORI, JOHN - Request for 7 ft. side yard variance for existing pool and deck located at 12 Farmstead Road in an R-4 zone. (27-4-8).  
*SET UP FOR P/H*  
2. ROGERS, TERRY - Request for 23 ft. rear yard variance for existing deck at 12 Myrtle Avenue in an R-4 zone. (13-14-3).  
*SET UP FOR P/H*  
3. RINGEL, DAVID - Request for 6 ft. 7 in. rear yard variance for existing above-ground pool and 8 ft. 10 in. variance for existing shed at 29 Canterbury Lane in an R-4 zone. (50-2-8).

PUBLIC HEARING:

- TABLE TO 1-24-94*  
4. DELLAFIORA, JOS. - Request for use variance for auto body repair and used car dealership, and construction of a proposed addition to existing masonry building with (1) 56,655 s.f. lot area, (2) 37.2 ft. front yard on River Rd., (3) 6.7 ft. front yard on Silver Spring Road, (4) 29.2 ft. front yard on abandoned road, (5) 8.5 ft. maximum bldg. hgt. variances, and variances from Sections 48-14A(1)(b) and 48-14A(4) requiring that an accessory bldg. be set back 10 ft. from any lot line and that no such building shall project nearer to street than principal bldg., and (5) sign variances at location on River Road in a PI zone. (20-2-45 & 46). *9.5 FRONT YARD 10' SIDE YARD FOR GARAGE*

- APPROVED*  
5. GOSSETT-FOX, HELENE/LAURINO-Request for 2 ft. 5 in. rear yard variance for shed, variance for 10% dev. coverage, also variances from Sections 48-14A(4), A(1)(b) for 5 ft. fence, shed and deck at 413 Philo Street in an R-4 zone. (73-6-11).

- TABLE TO 1-24-94 NEED TO UPDATE SURVEY*  
6. PHILLIPS, CHARLES - Request for 9 ft. side yard variance for existing enclosed porch at 73 Cedar Avenue in an R-4 zone. (16-4-30).

- APPROVED*  
7. LENNON, BARBARA C. - Request for 6 ft. 3 in. rear yard variance for existing family room addition at 4 Chimney Corners Road in an R-4 zone. (43-1-59).

REORGANIZE: ELECTION OF OFFICERS FOR 1994. *WORK 561-3674*

FORMAL DECISIONS: (1) MORONEY

*STROHL  
ANDERSON  
MARSHALL*

*APPROVED*  
PAT - 563-4630 (O)  
562-7107 (H)

*GIVE PAT A COPY OF # 6 SURVEY*

*CALL LENNON WHEN C-O IS READY  
CALL GOSSETT WHEN C-O IS READY*

ZONING BOARD OF APPEALS  
Regular Session  
November 8, 1993

AGENDA:

7:30 P.M. - ROLL CALL

Motion to accept minutes of the 11/25/93 meeting as written.

PRELIMINARY MEETING:

SET UP  
For P/H

ACS PROPERTIES, INC./DELLAFIORA, JOSEPH - Request for use variance and possible area variances for an auto body repair shop and used car dealership to be located on River Road in a PI zone. (20-2-45 & 46). ~~FLANNIN~~ BOARD

SET UP  
For P/H

SWEENEY, SUZANNE - Request for 7 ft. side yard variance for existing shed and 6 ft. rear yard variance for existing deck located at 347 Nina Street in an R-4 zone. (73-3-6).

SET UP  
For P/H

PHILLIPS, CHARLES - Request for 9 ft. side yard variance for existing enclosed porch which has building permit located at 73 Cedar Avenue in an R-4 zone. (16-4-30).

SET UP  
For P/H

BUCKNER, HARRIET - Request for 25 ft. rear yard variance to construct alterations and addition at 45 Clintonwood Drive in an R-4 zone. (19-4-38).

SET UP  
For P/H

GOSSETT-FOX, HELEN - Request for (1) 2 ft. 5 in. rear yard variance and, (2) variance contrary to Sec. 48-14(4) for existing shed, (3) 10 ft. rear yard, (4) 3 ft. set back and (5) variance contrary to Sec. 48-14(4) for existing deck which projects closer to road than principal building, and (6) 5 ft. fence which also projects closer to road than principal building; at 413 Philo Street in an R-4 zone. (73-6-11).

SET UP  
For P/H

LENNON, BARBARA - Request for 6 ft. 3 in. rear yard variance for existing addition (family room) to residence located at 4 Chimney Corners Road in an R-4 zone. (43-1-59).

PUBLIC HEARING:

APPROVED

7. ANDERSON, HERBERT - Request for 13 ft. 8 in. front yard variance and a variance from Section 48-14A(4) of Supp. Yard Regs. to allow existing garage which projects closer to road than principal structure located at 267 Riley Road in an R-3 zone. (35-1-86.1).

APPROVED

R&F - CORRESPONDENCE FROM LAND RESOURCE CONSULTANTS-10/26/93  
RE: DENHOFF DEVELOPMENT CORP request for further extension of one year.

FORMAL DECISIONS:

PAT - 563-4630 (O)  
562-7107 (H)

563-4630 (O)

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 93-24

DATE: 12-21-93

APPLICANT: JOSEPH DELIAFIORA  
42 FROST LANE  
CORNWALL NY 12518

#1 1-10-94 ZBA  
TABLE TO 1-24-94

#2 1-24-94  
APPROVED

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 30 JULY 1993

FOR (~~SUBDIVISION~~ - SITE PLAN) \_\_\_\_\_

LOCATED AT RIVER ROAD 416 + 1 NORTH OF  
CLINTON ST ZONE PI

DESCRIPTION OF EXISTING SITE: SEC: 20 BLOCK: 2 LOT: 45 + 46

IS DISAPPROVED ON THE FOLLOWING GROUNDS: \_\_\_\_\_

PERMITTED FREE STANDING 40 SQ FT ALL SIDES  
AND ALL SUCH SIGNS NOT TO HAVE AN AGGREGATE  
THAT EXCEEDS 60 SQ FT.

TOTAL SQ FT PROVIDED IN 80 SQ FT.

Michael Babcock  
MICHAEL BABCOCK,  
BUILDING INSPECTOR

\*\*\*\*\*

	<u>REQUIREMENTS</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>PI</u> USE _____			
TOTAL ALL SIGNS	<u>60 SQFT</u>	<u>80 SQFT</u>	<u>20 SQFT</u>
MIN. LOT WIDTH	_____	_____	_____
REQ'D FRONT YD	_____	_____	_____
REQ'D SIDE YD.	_____	_____	_____
REQ'D TOTAL SIDE YD.	_____	_____	_____
REQ'D REAR YD.	_____	_____	_____
REQ'D FRONTAGE	_____	_____	_____
MAX. BLDG. HT.	_____	_____	_____
FLOOR AREA RATIO	_____	_____	_____
MIN. LIVABLE AREA	_____	_____	_____
DEV. COVERAGE _____ %	_____ %	_____ %	_____ %
O/S PARKING SPACES _____	_____	_____	_____

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

STEVEN P. DRABICK



PROFESSIONAL LAND SURVEYOR

PO BOX 539, CONTINENTAL RD.  
CORNWALL, NEW YORK 12618

(914) 534-2208

FOR JOE DELLAFIORA

12/10/93

## DELLAFIORA SITE PLAN

PROPOSED  
SIGNS.

1 - FREE STANDING SIGN

DOUBLE SIDE 4'x4' = 32 sq'

1 - SIGN ON BUILDING FACE

6'x8' = 48 sq'

TOTAL 80 sq'

EXIST.  
ZONING

P1 ZONE: 1 SIGN MAX. 40 sq'

TOTAL SIGNS MAX 60'

C ZONE: ~~FREE STANDING~~ 1 SIGN/COT MAX. 40 sq'

MIKE: WE WERE INFORMED THAT WE NEED

TO ADD TO THE VARIANCE LIST

THE VARIANCES NEEDED FOR THE  
PROPOSED SIGNS AS DESCRIBED ABOVE.

I AM NOT SURE WHAT IS ALLOWED  
FOR MAX. SIGN ON BUILDING FACE  
FOR C ZONE.

IF YOU COULD MAKE THE NECESSARY AMENDMENT  
TO YOUR FORM I WILL BE GRATEFUL.

THANK YOU,



OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 93-24

DATE: 11-24-93

APPLICANT: JOSEPH DELIA FIDRA

42 FROST LANE

COENWALL N.Y. 12518

~~ACCESSORY GARAGE~~

GARAGE TO BE  
REMOVED

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 30 JULY 1993

FOR (~~SUBDIVISION~~ - SITE PLAN) \_\_\_\_\_

LOCATED AT RIVER RD 416+1 - NORTH OF  
CLINTON ST ZONE PI

DESCRIPTION OF EXISTING SITE: SEC: 20 BLOCK: 2 LOT: 45+46

GARAGE TO BE  
REMOVED

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

#1 48-14 A (1)(B)

#2 48-14 A (4)

GARAGE  
TO BE REMOVED

Michael Babcock  
MICHAEL BABCOCK,  
BUILDING INSPECTOR

\*\*\*\*\*

REQUIREMENTSPROPOSED OR  
AVAILABLEVARIANCE  
REQUEST

ZONE <u>PI</u>	USE _____		
MIN. LOT AREA	_____	_____	_____
MIN. LOT WIDTH	_____	_____	_____
REQ'D FRONT YD	_____	_____	_____
REQ'D SIDE YD.	<u>10 FT</u>	<u>0</u>	<u>10 FT</u>
REQ'D TOTAL SIDE YD.	_____	_____	_____
REQ'D REAR YD.	_____	_____	_____
REQ'D FRONTAGE	_____	_____	_____
MAX. BLDG. HT.	_____	_____	_____
FLOOR AREA RATIO	_____	_____	_____
MIN. LIVABLE AREA	_____	_____	_____
DEV. COVERAGE	_____ %	_____ %	_____ %
O/S PARKING SPACES	_____	_____	_____

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 93-24

DATE: 11-24-93

APPLICANT: JOSEPH DELIAFIORA

42 FROST LANE

CORNWALL N.Y. 12518

AUTO REPAIR SHOP  
ZBA  
1-24-94 APPROVED

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 30 JULY 1993

FOR (~~SUBDIVISION~~ - SITE PLAN) \_\_\_\_\_

LOCATED AT RIVER RD. 416+1 - NORTH OF

CLINTON ST. ZONE PI

DESCRIPTION OF EXISTING SITE: SEC: 20 BLOCK: 2 LOT: 45-46

IS DISAPPROVED ON THE FOLLOWING GROUNDS: \_\_\_\_\_

#1 USE VARIANCE

#2 LOT AREA

#3 FRONT YARD RIVER RD

#4 FRONT YARD SILVER SPRING RD

#5 FRONT YARD ABANDONED RD

#6 MAX BLOB. HT.

Michael Babcock  
MICHAEL BABCOCK,  
BUILDING INSPECTOR

\*\*\*\*\*

# PI ZONE C ZONE REQUIREMENTS <sup>USED</sup> REQUIREMENTS

PROPOSED OR  
AVAILABLE

VARIANCE  
REQUEST

ZONE \_\_\_\_\_ USE B5 + A16

MIN. LOT AREA 80,000 23,345 56,655

MIN. LOT WIDTH 200' — — 37.2'

REQ'D FRONT YD 60' — — 6.7'

REQ'D SIDE YD. 30 — — 29.2'

REQ'D TOTAL SIDE YD. 70 — —

REQ'D REAR YD. 30 — —

REQ'D FRONTAGE NA — —

MAX. BLDG. HT. <sup>6" PER FT.</sup> = 7.5' 16' 8.5'

FLOOR AREA RATIO 0.7 — —

MIN. LIVABLE AREA NA — —

DEV. COVERAGE NA % — % — %

O/S PARKING SPACES — — —

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 93-24

DATE: 11-24-93

APPLICANT: JOSEPH DELIAFIORA

42 FROST LANE

CORNWALL N.Y. 12518

AUTO REPAIR SHOP

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 30 JULY 1993

FOR (~~SUBDIVISION~~ - SITE PLAN) \_\_\_\_\_

LOCATED AT RIVER RD. 416+1 - NORTH OF

CLINTON ST. ZONE AI

DESCRIPTION OF EXISTING SITE: SEC: 20 BLOCK: 2 LOT: 45-46

IS DISAPPROVED ON THE FOLLOWING GROUNDS: \_\_\_\_\_

#1 USE VARIANCE

#2 LOT AREA

#3 FRONT YARD RIVER RD

#4 FRONT YARD SILVER SPRING RD

#5 FRONT YARD ABANDONED RD

#6 MAX BLOC. HT.

MICHAEL BABCOCK,  
BUILDING INSPECTOR

\*\*\*\*\*

# PI ZONE C ZONE REQUIREMENTS USED

ZONE	USE	PROPOSED OR AVAILABLE	VARIANCE REQUEST
	B5 + A16		
MIN. LOT AREA	80,000	23,345	56,655
MIN. LOT WIDTH	200'		
REQ'D FRONT YD	60'	RIVER RD 22.8' SILVER SPRING RD 53.9' ABANDONED RD 30.8'	37.2' 6.7' 29.2'
REQ'D SIDE YD.	30		
REQ'D TOTAL SIDE YD.	70		
REQ'D REAR YD.	30		
REQ'D FRONTAGE	NA		
MAX. BLDG. HT. <sup>6" PER FT.</sup> =	7.5'	16'	8.5'
FLOOR AREA RATIO	0.7		
MIN. LIVABLE AREA	NA		
DEV. COVERAGE	NA %	%	%
O/S PARKING SPACES			

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 93-24

DATE: 11-24-93

APPLICANT: JOSEPH DELIA FIORE  
42 FROST LANE  
CORNWALL N.Y. 12518

ACCESSORY GARAGE

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 30 JULY 1993

FOR (~~SUBDIVISION~~ - SITE PLAN) \_\_\_\_\_

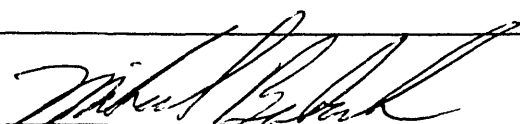
LOCATED AT RIVER RD 416+1 - NORTH OF  
CLINTON ST ZONE PI

DESCRIPTION OF EXISTING SITE: SEC: 20 BLOCK: 2 LOT: 45+46

IS DISAPPROVED ON THE FOLLOWING GROUNDS: \_\_\_\_\_

#1 48-14 A (1)(B)

#2 48-14 A (4)

  
MICHAEL BABCOCK,  
BUILDING INSPECTOR

<u>REQUIREMENTS</u>		<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>PI</u>	USE _____		
MIN. LOT AREA	_____	_____	_____
MIN. LOT WIDTH	_____	_____	_____
REQ'D FRONT YD	_____	_____	_____
REQ'D SIDE YD.	<u>10 FT</u>	<u>0</u>	<u>10 FT</u>
REQ'D TOTAL SIDE YD.	_____	_____	_____
REQ'D REAR YD.	_____	_____	_____
REQ'D FRONTAGE	_____	_____	_____
MAX. BLDG. HT.	_____	_____	_____
FLOOR AREA RATIO	_____	_____	_____
MIN. LIVABLE AREA	_____	_____	_____
DEV. COVERAGE	_____ %	_____ %	_____ %
O/S PARKING SPACES	_____	_____	_____

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE



STEVEN P. DRABICK



PROFESSIONAL LAND SURVEYOR

PO BOX 539, CONTINENTAL RD.

CORNWALL, NEW YORK 12518

(914) 534-2208



VARIANCES NEEDED IN C-ZONE - A4 & 16

ITEM	EXISTING CONDITION	REQUIRED	AMOUNT OF DIFFERENCE	VARIANCE REQUESTED
USE				PROPOSED AUTO BODY REPAIR & USED CAR DEALERSHIP
LOT AREA	23,345	40,000 SQ.FT	16,655 SQ.FT.	AUTO BODY SHOP
	23,345	80,000 "	56,655 "	USED CAR DEALERSHIP
FRONT YD DEPTH	22.8'	60'	37.2'	FRONT YARD TO RIVER ROAD
	53.3'	60'	6.7'	FRONT YARD TO SILVER SPRING ROAD
	30.8'	60'	29.2'	FRONT YARD OF PROPOSED ADDITION TO ABANDONED ROAD RUNNING FROM SILVER SPRINGS RD TO RIVER RD ALONG NORTHERLY SIDE OF PROPERTY
BLDG HT	16'	7.5'	8.5'	BLDG HT BASED ON 4" PER FT OF DISTANCE TO NEAREST PROPERTY LINE AT 22.8'
ACCESSORY BUILDING				
SIDE YD.	0'	10'	10'	SIDE YARD
FRONT YD.	0.5'	22.8'	22.3'	FRONT YARD TO RIVER ROAD DUE TO GARAGE BEING IN FRONT OF PRINCIPAL BLDG.

STEVEN P. DRABICK



PROFESSIONAL LAND SURVEYOR

PO BOX 539, CONTINENTAL RD.  
CORNWALL, NEW YORK 12518

(914) 534-2208

VARIANCES NEEDED IN PI-ZONE - A1 - 6

ITEM	EXISTING CONDITION	REQUIRED	AMOUNT OF DIFFERENCE	VARIANCE REQUESTED
USE				SAME AS C ZONE USE NOT LISTED IN PI ZONE
LOT AREA	23,345	80,000	56,655	LOT AREA
FRONT YD.	22.8'	100'	77.2'	SAME AS C ZONE
	53.3'	100'	46.7'	"
	30.8'	100'	69.2'	"
SIDE YD.	30.8'	50'	19.2'	SIDE YARD OF PROPOSED ADDITION TO NORTHERLY PROPERTY LINE ALONG ABANDONED ROAD RUNNING FROM SILVER SPRINGS ROAD TO RIVER ROAD.
BLDG HT.	16'	7.5'	8.5'	SAME AS C ZONE
ACCESSORY BLDG				
SIDE YD.		SAME AS C ZONE		
FRONT YD.		SAME AS C ZONE		

#1 ZBA 11-8-93  
SET UP FOR P/H

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 93-24

DATE: 1 OCT 93

APPLICANT: JOSEPH DELLAFIDRA  
42 FROST LANE  
CORNWALL NY 12518

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 30 JULY 1993

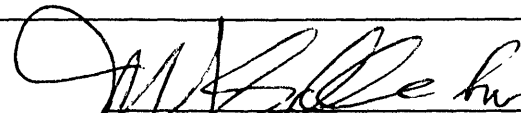
FOR (~~SUBDIVISION~~) - SITE PLAN) \_\_\_\_\_

LOCATED AT RIVER RD. 4164- NORTH OF  
CLINTON ST. ZONE PI

DESCRIPTION OF EXISTING SITE: SEC: 20 BLOCK: 2 LOT: 45+46

IS DISAPPROVED ON THE FOLLOWING GROUNDS: \_\_\_\_\_

USE VARIANCE REQUIRED. AREA VARIANCES  
MAY ALSO BE REQUIRED.

  
MICHAEL BABCOCK,  
BUILDING INSPECTOR

\*\*\*\*\*

<u>REQUIREMENTS</u>		<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE _____	USE _____		
MIN. LOT AREA	_____	_____	_____
MIN. LOT WIDTH	_____	_____	_____
REQ'D FRONT YD	_____	_____	_____
REQ'D SIDE YD.	_____	_____	_____
REQ'D TOTAL SIDE YD.	_____	_____	_____
REQ'D REAR YD.	_____	_____	_____
REQ'D FRONTAGE	_____	_____	_____
MAX. BLDG. HT.	_____	_____	_____
FLOOR AREA RATIO	_____	_____	_____
MIN. LIVABLE AREA	_____	_____	_____
DEV. COVERAGE	_____ %	_____ %	_____ %
O/S PARKING SPACES	_____	_____	_____

TO BE DETERMINED BY ZBA

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
 (914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
 OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

DELLAFIORA S.P. (93-24) River Road

Steven Drabick appeared before the Board for this proposal.

BY MR. VAN LEEUWEN: Where is this site at?

BY MR. DRABICK: This site is located on River Road. The property itself is currently owned by A.C.S. Properties, is an existing area of a little over a half acre, it has a one and a half story masonry building, an old existing frame garage on it. The property itself is serviced by municipal water and sewer and it lies in a P.I. zone. Now, the applicant is looking to purchase this property and develop it as an auto body repair shop and used car dealership. Now, that use being of a commercial type in nature, would mean that we would need a use variance in this particular zone. Basically this evening we are before the Board to ask for a referral to the Zoning Board of Appeals so that we can seek that variance.

BY MR> VAN LEEUWEN: I'll make a motion that we approve it.

BY MR. SCHIEFER: I'll second it.

BY MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board approve the Dellafiora site plan on River Road.

BY MR. VAN LEEUWEN: I'd like to make a suggestion. Next time we have a site plan visit we go and take a look at this building. I know where it is, you know where it is.

BY MR. PETRO: Also in concept I know that the Chairman of the Zoning Board reads the minutes of the New Windsor Planning Board. Conceptually do we have a problem with this site plan, or do we feel that it could be --

BY MR. VAN LEEUWEN: I don't think we have any problem there.

BY MR. SCHIEFER: There's similar things in that area right now.

BY MR. PETRO: Roll call for approval.

## ROLL CALL:

MR. VAN LEEUWEN: No.

MR. SCHIEFER: No.

MR. LANDER: No.

MR. PETRO: No.

MR. DUBALDI: No.

BY MR. PETRO: You're referred to the Zoning Board.  
Good luck, we'll see you when you come back.

November 8, 1993

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ACS PROPERTIES, INC./DELLAFIORA

MR. NUGENT: Request or use variance and possible area variances for an auto body repair shop and used car dealership to be located on River Road in a PI zone.

Mr. Joseph Dellafiora appeared before the board for this proposal.

MR. DELLAFIORA: I just purchased the property and I have an existing auto repair and body shop business up in the Town of Newburgh and I want to be able to move it into the building and this is my first appearance. Steve Drabick has been handling it before the Planning Board and he prepared the site for me, the site plan.

MR. LUCIA: Did you say you're now currently the owner of the property?

MR. DELLAFIORA: As of last week. Right across from Affron's.

MR. LUCIA: We can drop ACS Properties Inc. it's just in your name?

MR. DELLAFIORA: Right just in my name.

MR. TANNER: What's there now?

MR. DELLAFIORA: Just empty block building,

MR. NUGENT: Used to be the tank guy.

MR. DELLAFIORA: Yes, then I think it was a metal building, guy was in there for a while. It's been empty for about a year and a half. We want to expand into this area.

MR. NUGENT: That is not allowed in a PI zone.

MR. BABCOCK: No body shop, well, what we have in our code book is auto repair and service garages, we don't have anything for body shops and that is not permitted in a PI zone.

MR. NUGENT: That is not considered automobile repair?

MR. BABCOCK: Yes, it is but that is automobile repair is not permitted in a PI zone.

MR. LUCIA: Use table that you are looking at in the upper left corner, the word is A-C zone and he apparently has used C zone use is A 4 which is service establishment, other than personal service and B 5 with a special permit allows garages, those are the tables he's using. I should mention to you in a C zone, under use A 16 used car sales are also permitted but it would increase his bulk requirement variance request because he'd need 80,000 square foot lot area for used car sales probably helps him a little on height because that jumps up from six to four inches. That building is some 33 feet high, is that what I am reading?

MR. DELLAFIORA: I don't know the dimensions. I don't believe it's that high. It can't be 30 feet.

MR. LUCIA: You might check with Drabick.

MR. NUGENT: That can't be, building be 20 feet high.

MR. LUCIA: Have him doublecheck.

MR. DELLAFIORA: The length probably more than likely is 30, 33 feet.

MR. LUCIA: So we face this question every time we import a table into a zone, I'll leave it to the board's discretion what use category we want to use for this.

MR. TORLEY: Before we get to that point, we have to get by, do we want to consider this does in fact require a use variance?

MR. BABCOCK: Yes on the denial, the way that we did it was see we put right on the denial use variance required, area variances may also be required, depending on what table we use and on the bottom we just put to be determined by the ZBA and whatever bulk regulations you gentlemen think that should apply,



we'll use and we'll do the calculations from there.

MR. TORLEY: What's the closest permitted use to auto body repair in a PI zone?

MR. BABCOCK: There's some two uses, I don't know if mine and your determinations would be the same on that.

MR. LUCIA: I looked at it this afternoon, I think probably a variation on manufacturing operation would be as close as you come because they spell out manufacturing like finishing and something that might vaguely be related the auto body. Use A 15 would be manufacturing, assembling, converting, altering, finishing, cleaning, or any other process or incidental storage of products and storage involved in use oil or gas, or fuel.

MR. BABCOCK: Quite honestly, I think any requirement that we use is going to need several area variances.

MR. TORLEY: Area variances are not as much concern as possibility requiring a use variance since the way the State Law has been reinterpreted by the courts, Mike, it is very hard to justify granting one so I am trying to see if there's some way we can read automobile repair, auto body, rebuilding automobiles and refinishing them.

MR. DELLAFIORA: I'm a State registered automobile repair shop now that allows you up to 50% of your work to be auto body work under my license the State registered license so if that would help.

MR. LUCIA: Unfortunately.

MR. DELLAFIORA: The corporation itself is automobile center, doesn't state body shop in it.

MR. LUCIA: Auto repair isn't permitted in the zone so it doesn't help.

MR. TORLEY: Is there any way we can place what you want to do as a permitted use in the zone, if it is a permitted use then you have to go for a use variance

November 8, 1993

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which is very difficult.

MR. BABCOCK: In a C zone and that is why we picked it and put it on the plan.

MR. TANNER: Only in a C zone?

MR. BABCOCK: Well, you have automobile repair shop in a NC zone also.

MR. TORLEY: What are the other properties around there?

MR. NUGENT: There was I think he went out of business, there's another body shop quarter of, less than a quarter mile down the road.

MR. LANGANKE: Is there any zoning difference right on the road there or is that all one zone?

MR. NUGENT: Total PI.

MR. BABCOCK: PI runs all the way back up to 9W.

MR. NUGENT: PI allows oil tanks?

MR. BABCOCK: Yes.

MR. TANNER: There are houses on that side of the road, correct?

MR. TORLEY: There are?

MR. BABCOCK: Yes.

MR. TANNER: Maybe it's closer to NC zone.

MR. NUGENT: There's one right next door.

MR. TORLEY: Trouble is even though operationally and the environment is like an NC zone but happens to be zoned PI.

MR. TANNER: I'm thinking if we have to pick another zone maybe NC.

MR. LUCIA: I'm not--

MR. BABCOCK: Well, the NC, the lot area is less restrictive.

MR. NUGENT: Still looking for a use.

MR. BABCOCK: Yes.

MR. NUGENT: That is the big hurdle.

MR. BABCOCK: Actually, the lot area, the lot width, the front yard, the side yards basically are all there, we're not going to change any of that. The lot area is the lot area of that lot, the lot width is the lot width, front yard setback is staying the same. We're changing one side yard if they get approval to put the addition on, other than that, all the basic area requirements we're not going to change, the building is existing and the lot is existing. So basically whatever table we use is going to need lot area, lot width basically.

MR. NUGENT: The biggest hurdle is the use.

MR. BABCOCK: Right.

MR. NUGENT: I don't know how we're going to address that. You can't send him to the Town Board and have a zoning change then they are spot zoning cause you have got an entire PI zone, I think he just has to jump the hurdles.

MR. TORLEY: You're right, you couldn't ask for spot zoning that would be improper.

MR. HOGAN: Maybe it's about time we looked at some of these zones too. I'd like to get that in the minutes.

MR. NUGENT: Majority of the businesses on that road are allowed in a PI zone.

MR. HOGAN: When these zones were established some years back and they were done with the best intentions

and maybe a little bit rose colored glasses in terms of planned industrial in the Town of New Windsor, I'm not sure how much we're going to see.

MR. TORLEY: Most of the stuff that is down there with the exception of houses really is industrial or what we would think of industrial. Maybe it doesn't fit the exact definition of PI zone but it's what I think of as industrial.

MR. TANNER: I don't have a problem with this type of establishment in a PI Zone. I would feel if they were going to look into it that is something you'd allow. Not necessarily changing the zoning but changing the definition of what's in the zone needs to be looked at as we've talked about beauty parlors and veterinary things.

MR. TORLEY: Clearly to me an auto body repair shop is something that is compatible with a PI zone.

MR. NUGENT: Except you wouldn't want it in R4.

MR. TORLEY: Nope but unfortunately the code is not written that way as of the moment.

MR. LUCIA: Certainly the size of the lot reflects the proof the applicant couldn't get a reasonable return since those are all fairly high bulks, it would be difficult to cram any kind of PI use onto a piece this size and shape. And that can form part of your proof if the board sets you up for a public hearing when you come back.

MR. NUGENT: Should we do that first or would you like to do your thing?

MR. LUCIA: Are you happy with the C tables he has on there?

MR. TANNER: Is the NC less?

MR. LUCIA: NC doesn't make a dramatic difference other than lot area.

MR. BABCOCK: I think so.

MR. LUCIA: Used car sales would not be permitted in the NC.

MR. BABCOCK: That is right.

MR. TANNER: C is fine with me.

MR. LUCIA: To say that the lot area on the used car sales in the C zone is a little bit greater and he's using the ones more favorable to him on this.

MR. NUGENT: The only one he's short on is the lot area.

MR. TORLEY: No matter what he does, it's going to be lot area.

MR. LUCIA: So it really effects the magnitude of the variance we give him or we ask him to apply for, I should say.

MR. NUGENT: We need to put that to a vote.

MR. LUCIA: I don't think we need to vote on it as long as he has an understanding that we're accepting an importation of the C bulk tables for his area variance request.

MS. BARNHART: You'll fill in the numbers.

MR. BABCOCK: On the front yards I can once the use is being changed, is that no longer pre-existing measurement and that would be a variance, right?

MR. LUCIA: I think I would call it a variance and he can as part of his proof explain that he physically is not changing except for the one addition of the building so the front yard is no different than it used to be but he's applying for the variance as part of this application.

MR. NUGENT: Other thing he needs to verify the height of the building cause I know it's not 30 feet high.

MR. TANNER: Gor area 1,600?

MR. LUCIA: Gor is a gap between two adjacent deeds and apparently when Steve Drabick plotted it out, he came up with the dimension in the heavy dark line.

MR. TANNER: No one owns that.

MR. LUCIA: It could be claimed by either side that was one of the questions I was going to refer back to Steve on the area variance computation, you have to exclude things like the gor and along the front there's a taking for River Road and right-of-way and I think there's also up on Spring Street a little triangle.

MR. NUGENT: That was a road at one time.

MR. LUCIA: It has to be a deed that doesn't square with what they show as current dimensions but check with Steve that he is using the minimum area computations to remove that gor and to remove the triangle that apparently is to be conveyed to the Town for Spring Street and along River Road for the right-of-way utility easement.

MR. HOGAN: What kind of shape is that garage in in the corner of the property?

MR. DELLAFIORA: Just a wooden structure, solid, it looks solid to me, yeah.

MR. BABCOCK: They are going to need some area variances for that for being in the front yard.

MR. NUGENT: Too close to the side yard.

MR. BABCOCK: Front yard and side yard.

MR. NUGENT: Do you have any major uses or designs for the building?

MR. DELLAFIORA: I was going to use it for storage of parts, sheet metal.

MR. BABCOCK: You should do it while it's there.

MR. NUGENT: Include it in it.

MR. LUCIA: That would involve 4814 A 15 B of the ordinance, an accessory building setback less than ten feet from a lot line and also 4814 A 4 which provides that no accessory building shall project nearer to the street than the principal building on which it fronts.

MR. BABCOCK: And also side yard, Dan.

MR. LUCIA: Side yard variance also, correct.

MR. BABCOCK: And also a front yard.

MR. LUCIA: Right.

MR. BABCOCK: Of ten feet side and front.

MR. LUCIA: Right.

MR. BABCOCK: You have to get Mr. Drabick to address all those issues and give us the calculations once he has to measure the building and then I'll fill out a new sheet and get it back to the board.

MR. LUCIA: We understand what you're doing but just a matter of getting every variance you need layed out now.

MR. DELLAFIORA: Next procedure?

MR. LUCIA: As long as the building inspector can write a denial based on data he gets from Mr. Drabick, if the board sets you up as long as we have that denial before the public hearing, I think the board is satisfied. They understand what it is you're proposing.

MR. TANNER: I make a motion we set him up for a public hearing.

MR. LANGANKE: Second it.

ROLL CALL

MR. TANNER	AYE
MR. HOGAN	AYE
MR. LANGANKE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MR. LUCIA: Before you go, I'll also give you a copy of Section 267B of the Town Law and I put two arrows in the margin there opposite the standards this board has in order to grant you a use variance and an area variance. There are 4 items you have to meet on the use variance, they are listed there. The first one has to do with under the applicable zoning regulations your deprived of all economic use or benefit from the property in question which deprivation is established by competent financial evidence. I don't know if you want to bring in somebody from the prior owner or somebody who might have been listing it to show the history they've had and the difficulty they've had in trying to dispose of the building because that would effect its economic return. From your standpoint, you can show why it is you can't use it for PI uses given the available lot area and the size and shape of the lot. The second one is that the alleged hardship is unique and does not apply to the substantial portion of the district or neighborhood. What you have to do is show why this property is different. Maybe size, shape or types of things that are permitted in the PI zone. The third that the requested use variance if granted will not alter the character of the neighborhood. So you might want to come in with a listing of what kinds of uses are on both sides of the road going out a little bit of distance in the PI zone so the board has some feeling. And last that it is not self-created and that would be since you are a new purchaser with proposed use, I'd just explain the configuration of the property, how long the property has had these dimensions in this building. I'll also need that on the record for purposes of things that are pre-existing. If you are telling us that there are conditions on the property that pre-exist zoning, let us know how long the building has been there or if you can find it out from the prior owner. Since this is a use variance, we'll need a short form EAF. There's a



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cover sheet there, follow that, fill out the application, fill out the short form EAF, return to it Pat. Any questions, give her a call. We also need Orange County Department of Planning referral on this, it's a use variance for our purposes and we also would like the copy of deed, title policy and some photographs of the site, please. Under the area variance which is the second arrow, there's 5 factors that is a little lower hurdle. Read those over and when you come back be prepared to speak to those 5 issues. It's two separate variances but the use is the more difficult one. Good luck to you. When you submit that application, we need two checks both payable to the Town of New Windsor. One for \$150 application fee since this is commercial property and second for \$510 deposit against Town consultant review fees and various disbursements the board has.

MS. BARNHART: It's all listed on that.

9/93

RESULTS OF P.B. MEETING

DATE: August 11, 1993

PROJECT NAME: Dellzpera, Joseph S P PROJECT NUMBER 93-24

\* \* \* \* \*

LEAD AGENCY:

\* NEGATIVE DEC:

M)    S)    VOTE: A    N   

\* M)    S)    VOTE: A    N   

CARRIED: YES    NO   

\* CARRIED: YES:    NO   

\* \* \* \* \*

PUBLIC HEARING: M)    S)    VOTE: A    N   

WAIVED: YES    NO   

SEND TO OR. CO. PLANNING: M)    S)    VOTE: A    N    YES    NO   

SEND TO DEPT. OF TRANSPORT: M)    S)    VOTE: A    N    YES    NO   

DISAPP: REFER TO Z.B.A.: M)    S)    VOTE: A    N    YES    NO   

RETURN TO WORK SHOP: YES    NO   

APPROVAL:

M)    S)    VOTE: A    N    APPROVED:   

M)    S)    VOTE: A    N    APPR. CONDITIONALLY:   

NEED NEW PLANS: YES    NO   

DISCUSSION/APPROVAL CONDITIONS:   

Site Visit requested by W. Van Leeuwen - Will not take later



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- ☐ **Main Office**  
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- ☐ **Branch Office**  
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(717) 296-2765

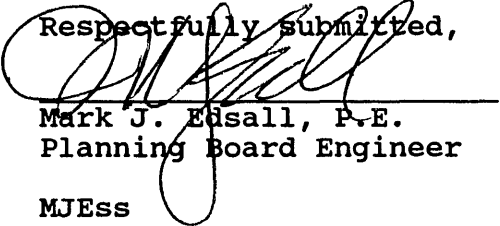
TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

PROJECT NAME: DELLAFIORA SITE PLAN  
PROJECT LOCATION: RIVER ROAD  
SECTION 20 - BLOCK 2 - LOTS 45 AND 46  
PROJECT NUMBER: 93-24  
DATE: 11 AUGUST 1993  
DESCRIPTION: THE APPLICATION INVOLVES A PROPOSED AUTO BODY,  
REPAIR SHOP AND USED CAR DEALERSHIP ON THE  
0.57 +/- ACRE PARCEL. THE PLAN WAS REVIEWED ON A  
CONCEPT BASIS ONLY.

1. The property is located within the PI Zoning District. The Proposed use is not a use permitted by right or by Special Permit. As such, the Applicant must obtain use variances for this application. As well, there may be a need for area type variances.

In line with the above, no further action can be taken by the Planning Board at this time. As such, I suggest that the Planning Board review the concept layout of the plan with the Applicant, subsequently making a referral to the Zoning Board of Appeals for the necessary Variances.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEss

A:della.ss



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

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- ☐ Branch Office  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor

P/B # 93-2X

WORK SESSION DATE: 6 April 1994

APPLICANT RESUB.  
REQUIRED: new plans

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Dellapiana

PROJECT STATUS: NEW \_\_\_\_\_ OLD \_\_\_\_\_

REPRESENTATIVE PRESENT: Steve P

MUNIC REPS PRESENT: BLDG INSP. X  
FIRE INSP. S/C  
ENGINEER X  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

got variances  
DOT for curb cut ~~MYRA~~ send  
to DOT once you  
get plans  
Revise tank note  
"if removed"  
possible one way for rear  
next avail agenda

4MJJE91 pbwsform



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, ~~HIGHWAY~~

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93- 24

DATE PLAN RECEIVED: RECEIVED APR - 7 1994 Rev 1

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

\_\_\_\_\_ has been

reviewed by me and is approved ☒ \_\_\_\_\_,

disapproved ☐ \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

David L. [Signature] 5/10/94  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 11 May 1994

SUBJECT: Dellafiora Site Plan

Planning Board Reference Number: PB-93-24

Dated: 6 May 1994

Fire Prevention Reference Number: FPS-94-019

A review of the above referenced subject site plan was conducted on 10 May 1994.

This site plan is acceptable.

Plans Dated: 5 May 1994 Revision 3

*Robert F. Rodgers, C.C.A. (mvz)*  
Robert F. Rodgers, C.C.A.

RFR/mvz



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93-24

DATE PLAN RECEIVED: RECEIVED MAY 6 1994 Rev 2

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

\_\_\_\_\_ has been

reviewed by me and is approved water available,

disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HIGHWAY SUPERINTENDENT

DATE

[Signature]  
WATER SUPERINTENDENT

5/9/94  
DATE

SANITARY SUPERINTENDENT

DATE



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93-24

DATE PLAN RECEIVED: RECEIVED APR - 7 1994 Rev1

The maps and plans for the Site Approval Della Fiora, River Rd.  
Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

\_\_\_\_\_ has been

reviewed by me and is approved ☒

disapproved ☐

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

HIGHWAY SUPERINTENDENT

DATE

WATER SUPERINTENDENT

DATE

SANITARY SUPERINTENDENT

DATE





1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93- 24

DATE PLAN RECEIVED: RECEIVED APR - 7 1994 Rev1

The maps and plans for the Site Approval ✓

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

JOSEPH J. DELLAFIORA has been

reviewed by me and is approved \_\_\_\_\_,

disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

NO SEWER HOOK-UPS INDICATED

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

[Signature] 4.26.94  
SANITARY SUPERINTENDENT DATE

93-24

NEW YORK STATE DEPARTMENT OF TRANSPORTATION  
EAST ORANGE AND ROCKLAND OFFICE  
PERMIT INSPECTION  
112 DICKSON STREET  
NEWBURGH, NEW YORK 12550

phone(914) 562-4094

Albert J. Bauman  
Regional Director

John C. Egan  
Commissioner

April 19,1994

Planning & Zoning Board  
Town of NEW WINDSOR  
55 Union Ave.  
New Windsor, N.Y. 12553

Re: Joseph J. Dellafiora  
967 River Road sh. 1808

Dear Chair-person;

We have reviewed this matter and please find our comments checked below.

XX A highway work permit will be required. Please ask Building Department not to issue building permit without proof of State Highway Work Permit.

       No objection.

       Need additional information; Traffic study       , and or Drainage study       .

       To be reviewed by Regional Office.

       Does not effect New York State Department of Transportation.

PLEASE NOTE: Entrance must conform to state highway work permit.

**ADDITIONAL COMMENTS:** This driveway should be curbed and the catch basin raised to grade. Internal curbing along the state right of way line.

Yours truly,



Donald Greene  
C.E.I Permits  
East Orange and Rockland Counties.

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 11 April 1994

SUBJECT: Dellafiora Site Plan

Planning Board Reference Number: PB-93-24

Dated: 7 April 1994

Fire Prevention Reference Number: FPS-94-011

A review of the above referenced subject site plan was conducted on 8 April 1994.

This site plan is approved.

Plans Dated: 4 April 1994: Revision 1

*Robert F. Rodgers, C.C.A. (mvz)*  
Robert F. Rodgers, C. C. A.

RFR/mvz



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 24

DATE PLAN RECEIVED: AUG - 4 1993

The maps and plans for the Site Approval Joseph Della Porta  
Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of  
Water is Available has been

reviewed by me and is approved ✓

disapproved \_\_\_\_\_

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HIGHWAY SUPERINTENDENT DATE

[Signature] 2/19  
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

CC: H.E.



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

- ☐ Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ Branch Office  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B # 93 - 24  
WORK SESSION DATE: 4 AUG 93 APPLICANT RESUB.  
REAPPEARANCE AT W/S REQUESTED: No REQUIRED: Full App  
PROJECT NAME: Pellafiora  
PROJECT STATUS: NEW X OLD \_\_\_\_\_  
REPRESENTATIVE PRESENT: Steve Drabicki  
MUNIC REPS PRESENT: BLDG INSP. VAC  
FIRE INSP. X  
ENGINEER X  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

+ Parking resolved OK  
+ verify tank loc - decide what to do with them  
+ needs use variance → ZBA  
+ add typ note re tank removal if appropriate

escrow \$1750

next want agenda  
for ZBA referral

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board  
FROM: Town Fire Inspector  
DATE: 9 August 1993  
SUBJECT: Joseph J. Dellafiora Site Plan

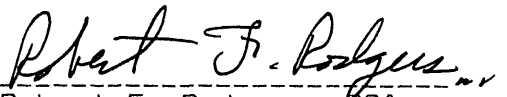
PLANNING BOARD REFERENCE NUMBER: PB-93-24  
DATED: 4 August 1993

FIRE PREVENTION REFERENCE NUMBER: FPS-93-046

A review of the above referenced subject site plan was conducted on 5 August 1993.

This site plan is approved.

PLANS DATED: 3 August 1993.

  
Robert F. Rodgers; CCA  
Fire Inspector

RFR:mr  
Att.

✓  
cc: M.E.



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 24

DATE PLAN RECEIVED: AUG - 4 1993

The maps and plans for the Site Approval ✓

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

JOSEPH DELLAFIORA has been

reviewed by me and is approved ✓

disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

OIL/WATER SEPERATOR REQUIRED FOR FLOOR DRAINS IN  
BAYS. NO DRAINS PERMITTED IN PAINT BOOTHS

HIGHWAY SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_

WATER SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_

[Signature] 8.6.93  
SANITARY SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_

CC: M.E.



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)  
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640  
PORT JERVIS (914) 856-5600

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

Licensed in New York,  
New Jersey and Pennsylvania

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

1-3

TOWN OF New Windsor P/B # 93 - 24  
WORK SESSION DATE: 7/14/93  
REAPPEARANCE AT W/S REQUESTED: Yes APPLICANT RESUB.  
REQUIRED: Plan  
PROJECT NAME: DellaFiori  
PROJECT STATUS: NEW X OLD \_\_\_\_\_  
REPRESENTATIVE PRESENT: Steve Bratrick  
TOWN REPS PRESENT: BLDG INSP. X  
FIRE INSP. X  
ENGINEER X  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Auto Body/Repair/Used Sales. Show all three  
Mass. pr. bldg. yellow house opposite Albion -  
Silver Springs not - Cullen Ave ?  
Total Bldg Area - 800 sf = net / 300 = # spaces  
Still needs use variances  
maybe parking variances





McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

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- ☐ Branch Office  
400 Broad Street  
Millford, Pennsylvania 18337  
(717) 296-2765

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor P/B # 93 - 24  
WORK SESSION DATE: 2 June 1993 APPLICANT RESUB.  
REQUIRED:  
REAPPEARANCE AT W/S REQUESTED: YES  
PROJECT NAME: DELLA FIORA RIVER RD  
PROJECT STATUS: NEW ☒ OLD ☐  
REPRESENTATIVE PRESENT: STEVEN DRABICK  
MUNIC REPS PRESENT: BLDG INSP. ☒  
FIRE INSP. ☐  
ENGINEER ☒ OUT WITH GEORGE  
PLANNER ☐  
P/B CHMN. ☐  
OTHER (Specify) ☐

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

USE C ZONE 0-16 4 PER BAY + 1 PER 300  
USE C ~~PER~~ TABLE FOR SET BACKS  
USE A 1 TO A 10  
NEED USE VARIANCE  
NEED PREA VARIANCE'S



McGOEY, HAUSER and EDSALL  
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(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor

P/B # 93 - 24

WORK SESSION DATE: 21 Apr 93

APPLICANT RESUB.  
REQUIRED: full-lotter

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Dellafranca Auto 5/10

PROJECT STATUS: NEW X OLD \_\_\_\_\_

REPRESENTATIVE PRESENT: Joe Dellafranca

MUNIC REPS PRESENT: BLDG INSP. X  
FIRE INSP. X  
ENGINEER X  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- River Rd. - vacant bldg opposite Arden Tks
- Change of use -
- Body repair
- 2 B.A. for use variance -
- Steve Drabick - US. will be doing plan -

Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 125530

(This is a two-sided form)

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,  
OR LOT LINE CHANGE APPROVAL

1. Name of Project SITE PLAN FOR JOSEPH J. DELLAFIORA
2. Name of Applicant Joseph J. Dellafiora Phone 534-9325  
Address 42 Frost Ln Cornwall NY 12518  
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record ACS PROPERTY, INC. Phone \_\_\_\_\_  
Address 75 RIVER RD. NEW WINDSOR NY 12553  
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan STEVEN P. DRABICK Phone 534-2208  
Address CONTINENTAL RD. P.O. BOX 539, CORNWALL, N.Y. 12518  
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting STEVEN P. DRABICK Phone 534-2208  
(Name)
7. Location: On the WEST side of RIVER RD.  
416' ± feet NORTHERLY  
(Street) (Direction)  
of N. SIDE OF CLINTON ST. & WEST SIDE OF RIVER RD.  
(Street)
8. Acreage of Parcel 0.5744 AC. 9. Zoning District P1  
9A. School District NEWBURGH CSD
10. Tax Map Designation: Section 20 Block 2 Lot 95 & 96
11. This application is for SITE PLAN OF PROPOSED  
AUTO-BODY REPAIR SHOP & USED CAR DEALERSHIP

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? NO

If so, list Case No. and Name \_\_\_\_\_

13. List all contiguous holdings in the same ownership  
Section \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

☒ OWNER'S ENDORSEMENT  
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

JEROME S. AFFRON being duly sworn, deposes and says that he resides at 38 GRAND AVE. in the County of ORANGE and State of N.Y. and that he is (the owner in fee) of PRESIDENT (Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized STEVEN DRABICK to make the foregoing application as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

30 day of JULY 19 93

Clifton G. Quick  
Notary Public

Jerome S. Affron  
(Owner's Signature)

Steven Drabick  
(Applicant's Signature)

LAND SURVEYOR  
(Title)

CLIFTON G. QUICK  
Notary Public, State of New York  
County of Ulster  
Reg. No. 4933758  
Commission Expires June 20, 19 94

93 - 24

AUG - 4 1993

PROXY STATEMENT  
for submittal to the  
TOWN OF NEW WINDSOR PLANNING BOARD

X JEROME S. AFFRON, deposes and says that he  
resides at 38 GRAND AVE, NEWBURGH, N.Y. 12550  
(Owner's Address)  
in the County of ORANGE  
and State of N.Y.  
and that he is the owner in fee of THE PROPERTY DESIGNATED  
AS 20-2-45 AND 20-2-46 ON THE TOWN OF NEW WINDSOR TAX MAP.  
which is the premises described in the foregoing application and  
that he has authorized STEVEN DRABICK  
to make the foregoing application as described therein.

Date:

7/30/93X Jerome S. Affron, Pres.  
(Owner's Signature)ACS PROPERTY, INC.  
Carol C. Coe  
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF  
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT  
AND/OR OWNER AT THE MEETINGS.

AUG - 4 1993

TOWN OF NEW WINDSOR PLANNING BOARD  
SITE PLAN CHECKLIST

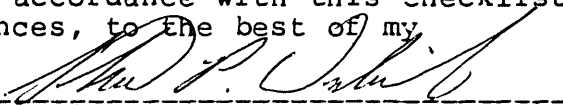
ITEM

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Site Plan Title              | 29. <input type="checkbox"/> Curbing Locations                 |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s)          | 30. <input type="checkbox"/> Curbing Through                   |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es)      | Section  |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name    | 31. <input type="checkbox"/> Catch Basin Locations             |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address | 32. <input type="checkbox"/> Catch Basin Through               |
| 6. <input checked="" type="checkbox"/> Drawing Date                 | Section  |
| 7. <input type="checkbox"/> Revision Dates                          | 33. <input type="checkbox"/> Storm Drainage                    |
| 8. <input checked="" type="checkbox"/> AREA MAP INSET               | 34. <input checked="" type="checkbox"/> Refuse Storage         |
| 9. <input checked="" type="checkbox"/> Site Designation             | 35. <input type="checkbox"/> Other Outdoor Storage             |
| 10. <input checked="" type="checkbox"/> Properties Within 500 Feet  | 36. <input type="checkbox"/> Water Supply                      |
| of Site   | 37. <input type="checkbox"/> Sanitary Disposal Sys.            |
| 11. <input checked="" type="checkbox"/> Property Owners (Item #10)  | 38. <input type="checkbox"/> Fire Hydrants                     |
| 12. <input checked="" type="checkbox"/> PLOT PLAN                   | 39. <input checked="" type="checkbox"/> Building Locations     |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser)  | 40. <input checked="" type="checkbox"/> Building Setbacks      |
| 14. <input checked="" type="checkbox"/> Metes and Bounds            | 41. <input type="checkbox"/> Front Building                    |
| 15. <input checked="" type="checkbox"/> Zoning Designation          | Elevations   |
| 16. <input checked="" type="checkbox"/> North Arrow                 | 42. <input type="checkbox"/> Divisions of Occupancy            |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners    | 43. <input type="checkbox"/> Sign Details                      |
| 18. <input checked="" type="checkbox"/> Existing Building Locations | 44. <input checked="" type="checkbox"/> BULK TABLE INSET       |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas        | 45. <input checked="" type="checkbox"/> Property Area (Nearest |
| 20. <input checked="" type="checkbox"/> Existing Vegetation         | 100 sq. ft.)   |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress    | 46. <input checked="" type="checkbox"/> Building Coverage (sq. |
|   | ft.)   |
| <u>PROPOSED IMPROVEMENTS</u>  | 47. <input checked="" type="checkbox"/> Building Coverage (%   |
| 22. <input type="checkbox"/> Landscaping                            | of Total Area)   |
| 23. <input type="checkbox"/> Exterior Lighting                      | 48. <input checked="" type="checkbox"/> Pavement Coverage (Sq. |
| 24. <input checked="" type="checkbox"/> Screening                   | ft.)   |
| 25. <input type="checkbox"/> Access & Egress                        | 49. <input checked="" type="checkbox"/> Pavement Coverage (%   |
| 26. <input checked="" type="checkbox"/> Parking Areas               | of Total Area)   |
| 27. <input type="checkbox"/> Loading Areas                          | 50. <input checked="" type="checkbox"/> Open Space (Sq. Ft.)   |
| 28. <input checked="" type="checkbox"/> Paving Details              | 51. <input checked="" type="checkbox"/> Open Space (% of Total |
| (Items 25-27)   | Area)  |
|   | 52. <input checked="" type="checkbox"/> No. of Parking Spaces  |
|   | Proposed.  |
|   | 53. <input checked="" type="checkbox"/> No. of Parking         |
|   | Required.  |

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By:   
 Licensed Professional

Date: 8/4/93

PROJECT I.D. NUMBER

617.21

## Appendix C

State Environmental Quality Review  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
 For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <u>JOSEPH V. DELLAFIORA / STEVEN P. DRABICK</u>	2. PROJECT NAME <u>SITE PLAN FOR JOSEPH V. DELLAFIORA</u>
3. PROJECT LOCATION: Municipality <u>TOWN OF NEW WINDSOR</u> County <u>ORANGE</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>90 RIVER RD</u> <u>WEST SIDE OF RIVER RD. 416'± NORTHERLY OF THE</u> <u>INTERSECTION OF THE NORTHERLY SIDE OF CLINTON ST. &amp; THE</u> <u>WESTERLY SIDE OF RIVER RD.</u>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>SITE PLAN FOR A PROPOSED AUTO-BOODY, REPAIR SHOP</u> <u>&amp; USED CAR DEALERSHIP.</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>0.574</u> acres Ultimately <u>0.574</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <u>PROPOSED COMMERCIAL USE DOES NOT COMPLY WITH R1 ZONE USE.</u> <u>EXISTING &amp; PROPOSED BUILDING ADDITION DO NOT MEET CURRENT</u> <u>ZONING SETBACKS.</u>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <u>ZONING BOARD OF APPEALS APPROVAL OF VARIANCE FOR USE</u> <u>TOWN PLANNING BOARD APPROVAL OF SITE PLAN.</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>STEVEN P. DRABICK, P.L.S.</u>	Date: <u>8/4/93</u>
Signature: <u>Steven P. Drabick</u>	

If the action is in the Coastal Area, and you are a state agency, complete the  
 Coastal Assessment Form before proceeding with this assessment

OVER

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

<b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</b> C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:  C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:  C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:  C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:  C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:  C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:  <b>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No    If Yes, explain briefly	

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide on attachments as necessary, the reasons supporting this determination:	
_____ Name of Lead Agency	
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from responsible officer)
_____ Date	



## FOR OFFICIAL USE ONLY

Permit No. \_\_\_\_\_

Fee Received \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_ County, New York

Permit Application for Development  
in  
Flood Hazard Areas

- A. General instructions page 4 (Applicant to read and sign)
- B. For assistance in completing or submittal of this application contact:

\_\_\_\_\_, Floodplain Administrator,  
(Name)\_\_\_\_\_  
(Address)

\_\_\_\_\_, NY ( ) \_\_\_\_ - \_\_\_\_.

## 1. Name and Address of Applicant

\_\_\_\_\_  
(First Name) (MI) (Last Name)

Street Address: \_\_\_\_\_

Post Office: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: ( ) \_\_\_\_ - \_\_\_\_

2. Name and Address of Owner (If Different)

\_\_\_\_\_  
(First Name) (MI) (Last Name)

Street Address: \_\_\_\_\_

Post Office: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: ( ) \_\_\_\_ - \_\_\_\_\_

3. Engineer, Architect, Land Surveyor (If Applicable)

\_\_\_\_\_  
(First Name) (MI) (Last Name)

Street Address: \_\_\_\_\_

Post Office: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: ( ) \_\_\_\_ - \_\_\_\_\_

SEE PGS. 24 ✓

PROJECT LOCATION

Street Address: 90 RIVER RD  
NEW WINDSOR, NY

Tax Map No. 20-2-95-46

Name of, distance and direction from nearest intersection or other landmark  
WEST SIDE RIVER RD 416'± FROM INTERSECTION OF W. SIDE  
OF RIVER RD + NORTH SIDE OF CLINTON ST.

Name of Waterway: HUDSON RIVER

PROJECT DESCRIPTION (Check all applicable boxes and see Page 4, Item 3)

Structures

☐ New Construction  
☒ Addition  
☒ Alteration  
☐ Relocation  
☐ Demolition  
☐ Replacement

Structure Type

☐ Residential (1-4 family)  
☐ Residential (More than 4 family)  
☒ Commercial  
☐ Industrial  
☐ Mobile Home (single lot)  
☐ Mobile Home (Park)  
☐ Bridge or Culvert

Estimated value of improvements if addition or alteration: \_\_\_\_\_

Other Development Activities

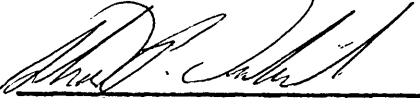
☐ Fill ☐ Excavation ☐ Mining ☐ Drilling ☒ Grading  
☐ Watercourse alteration ☐ Water System ☐ Sewer System  
☐ Subdivision (New) ☐ Subdivision (Expansion)  
☐ Other (Explain)

CERTIFICATION

Application is hereby made for the issuance of a floodplain development permit. The applicant certifies that the above statements are true and agrees that the issuance of the permit is based on the accuracy thereof. False statements made herein are punishable under law. As a condition to the issuance of a permit, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomsoever suffered, arising out of the project described herein and agrees to indemnify and save harmless to the community from suits, actions, damages and costs of every name and description resulting from the said project. Further, the applicant agrees that the issuance of a permit is not to be interpreted as a guarantee of freedom from risk of future flooding. The applicant certifies that the premises, structure, development, etc. will not be utilized or occupied until a Certificate of Compliance has been applied for and received.

*THIS PROJECT IS NOT IN A FLOOD PLAIN  
ZONE REQUIRING SUBMISSION OF THIS APPLICATION*

8/8/93  
Date

  
Signature of Applicant

\_\_\_\_\_ of \_\_\_\_\_  
Flood Hazard Development Permit

Administrative Action  
Completed by Floodplain Administrator

Proposed project located in \_\_\_\_\_ "A" zone with elevation  
 \_\_\_\_\_ "A" zone without elevation  
 \_\_\_\_\_ Floodway  
 \_\_\_\_\_ Coastal High Hazard Area (V-Zone)

Base flood elevation at site is \_\_\_\_\_

Source documents: \_\_\_\_\_

PLAN REVIEW

Elevation to which lowest floor is to be elevated \_\_\_\_\_ ft. (NGVD)  
 Elevation to which structure is to be floodproofed \_\_\_\_\_ ft. (NGVD)  
 Elevation to which compacted fill is to be elevated \_\_\_\_\_ ft. (NGVD)

ACTION

\_\_\_\_\_ Permit is approved, proposed development in compliance with applicable floodplain management standards.

\_\_\_\_\_ Additional information required for review. Specify: (i.e., encroachment analysis)

\_\_\_ Permit is conditionally granted, conditions attached.

\_\_\_ Permit is denied. Proposed development not in conformance with applicable floodplain management standards. Explanation attached. A variance, subject to Public Notice and Hearing, is required to continue project.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Permit Issuing Officer)

This permit is valid for a period of one year from the above date of approval.

BUILDING CONSTRUCTION DOCUMENTATION

The certified "As Built" elevation of lowest floor (including basement) of structure is \_\_\_\_\_ ft. NGVD.

Certification of registered professional engineer, land surveyor or other recognized agent, documenting these elevations is attached.

CERTIFICATE OF OCCUPANCY/COMPLIANCE

Certificate of Occupancy and/or Compliance Issued:

Date \_\_\_\_\_ Signature \_\_\_\_\_

TOWN of NEW WINDSOR  
ORANGE County, New York

Development in Flood Hazard Areas  
Instructions

1. Type or print in ink
2. Submit N/A copies of all papers including detailed construction plans and specifications.
3. Furnish plans drawn to scale, showing nature, dimension and elevation of area in question; existing or proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing. Specifically the following is required: (A) NGVD (Mean Sea Level) elevation of lowest floor including basement of all structures; (B) description of alterations to any watercourse; (C) statement of techniques to be employed to meet requirements to anchor structures, use flood resistant materials and construction practices; (D) show new and replacement potable water supply and sewage systems will be constructed to minimize flood damage hazards; (E) Plans for subdivision proposal greater than 50 lots or 5 acres (whichever is least) must provide base flood elevations if they are not available; (F) Additional information as may be necessary for the floodplain administrator to evaluate application.

4. Where a non-residential structure is intended to be made watertight below the base flood level, a registered professional engineer or architect must develop and/or review structural design, specifications, and plans for the construction and certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of the local floodplain management regulations.
5. No work on the project shall be started until a permit has been issued by the floodplain administrator.
6. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory compliance.
7. Applicant will provide all required elevation certifications and obtain a certificate of compliance prior to any use or occupancy of any structure or other development.

PROJECT IS NOT IN A FLOOD PLAIN  
ZONE REQUIRING SUBMISSION OF THIS  
APPLICATION

Applicant's signature

Mr. P. L. H.

Date

8/4/93



CERTIFICATE OF COMPLIANCE  
for  
FLOODPLAIN DEVELOPMENT

93 - 24

<p>_____ of _____ County, N.Y.</p> <p>(Applicant shall fill in all pertinent information in Section A including 1 or 2</p>	
<p><b>SECTION A</b></p> <p>Premises location _____ _____ _____</p> <p>Applicant Name &amp; Address _____ _____</p> <p>Telephone No. _____</p>	<p>Permit No. _____ Variance No. _____ Date _____</p> <p style="text-align: center;">CHECK ONE</p> <p>New Building _____ Existing Building _____ Other (List) _____</p>
<p>1. I certify that I have completed the above project in accordance with the Community's floodplain management regulations and have met all the requirements which were conditions of my permit. I now request completion of this Certificate of Compliance by the program administrator.</p> <p style="text-align: right;">Signed _____</p> <p style="text-align: right;">Date _____</p> <p>2. I certify that I have completed the above project in accordance with conditions of variance number _____, dated _____ to the Community's floodplain management regulations and have met all requirements which were a condition of the variance. I now request completion of this certificate of compliance by the program administrator.</p> <p style="text-align: right;">Signed _____</p> <p style="text-align: right;">Date _____</p>	

SECTION B (Local Administrator will complete, file, and return a copy to the applicant.)

Final Inspection Date \_\_\_\_\_ by \_\_\_\_\_

This certifies that the above described floodplain development complies with requirements of Flood Damage Prevention Local Law No. \_\_\_\_\_, or has a duly granted variance.

Signed \_\_\_\_\_  
(Local Administrator)

Date \_\_\_\_\_

Supporting Certifications: Floodproofing, elevation, hydraulic analysis, etc; (List).

\_\_\_\_\_

\_\_\_\_\_







# ZONING INFORMATION DISTRICT REGULATIONS FOR USE GROUP A 1-10

PARCEL	Minimum Lot Area (Sq. Ft.)	Minimum Lot Width	Front Yd Depth	Side Yd Both	Rear Yard	Max Bldg Ht.	Floor Area Ratio
REQUIRED	80,000	200'	60'	30/70'	30'	4"/FT OF DISTANCE TO PL @ 22.8' = 7.5'	0.5
PROVIDED	23,345*	236.1' +/-	22.8' * EXIST	30.8/ 114.6'	53.3'	16.0' * EXIST	0.11

NOTE: \* DENOTES PRE-EXISTING NON-CONFORMITIES.

## SITE PLAN BULK TABLE

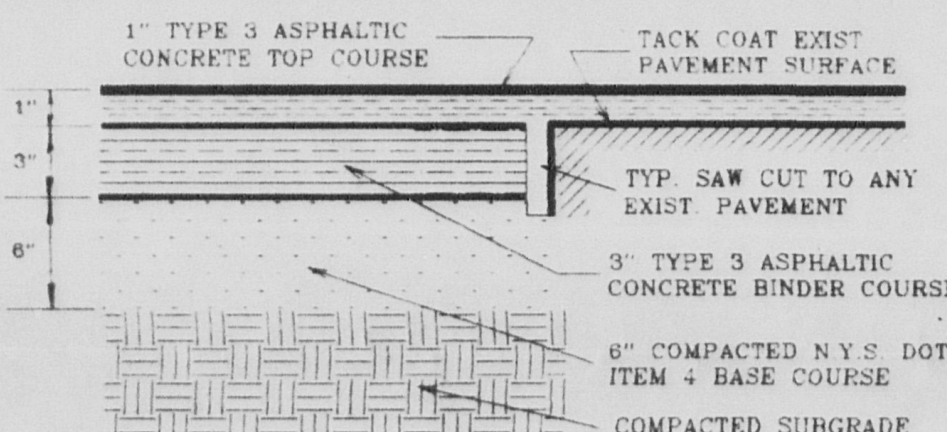
BLDG COVERAGE	PAVEMENT COVERAGE	OPEN SPACE	# PARKING SPACES
SQ. FT.	% OF AREA	SQ. FT.	% OF AREA
2,950	12.64	17,134	73.40
		6,209	26.60
		14	14*

\* Based on: 2 service bays, (400 sq. ft./bay) @ 4 spaces/bay = 8 spaces;  
Remaining floor area excluding service bays of 1800 sq. ft.  
@ 1 space/300 sq. ft. = 6 spaces.

**NOTE:**  
THE DISTRICT REGULATIONS FOR C ZONE AS SHOWN ABOVE ARE PURSUANT TO THE FOLLOWING VARIANCES GRANTED BY THE TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS ON FEBRUARY 14, 1994:

1) 36,885 SUFF. LOT AREA 2) 37' FRONT YARD ON RIVER ROAD, 3) 6' FRONT YARD ON SILVER SPRING ROAD, 4) 25.2' FRONT YARD ON ABANDONED ROAD, 5) 8.5' MAX. BUILDING HEIGHT, 20 SQ. FT. SIGN AREA VARIANCES FOR 1) FREESTANDING SIGN AND 1 BUILDING SIGN.

USE VARIANCE TO OPERATE AN AUTO BODY, REPAIR SHOP AND USED CAR SALES WITH THE FOLLOWING RESTRICTIONS: 1) THAT THE APPLICANT HAVE NO MORE THAN 3 CARS FOR SALE IN FRONT OF THE BUILDING, 2) THAT APPLICANT REMOVE THE OLD GARAGE ON THE FRONT CORNER OF THE PROPERTY.



## PARKING LOT PAVEMENT DETAIL

NOT TO SCALE

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 SUB-DIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

COPIES OF THIS SURVEY MAP NOT HAVING THE EMBOSSED SEAL OF THE LAND SURVEYOR SHALL NOT BE VALID.

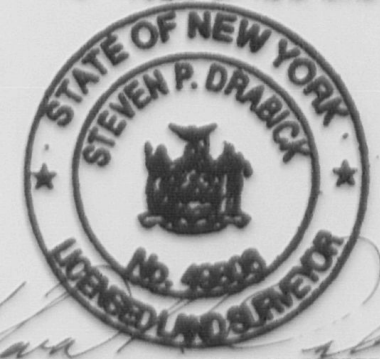
CERTIFICATIONS SHOWN HEREON ARE NOT TRANSFERABLE TO ADDITIONAL INDIVIDUALS, INSTITUTIONS, THEIR SUCCESSORS AND/OR ASSIGNS, OR SUBSEQUENT OWNERS.

EASEMENTS OR RIGHT-OF-WAYS ON, OR UNDER THE LANDS, AND NOT VISIBLE, ARE NOT SHOWN.

I HEREBY CERTIFY ONLY TO THE PARTIES LISTED BELOW THAT THIS MAP IS BASED ON AN ACTUAL FIELD SURVEY COMPLETED ON 3/22/93 AND CONFORMS TO THE MINIMUM STANDARDS FOR LAND SURVEYS ADOPTED BY THE D.H.S.A. ON DECEMBER 9, 1987 AND REVISED FEBRUARY 9, 1988. THIS CERTIFICATION DOES NOT RUN WITH TITLE TO THE LAND AND IS SUBJECT TO ANY STATE OF FACTS A TITLE SEARCH MAY REVEAL.

JOSEPH J. DELLAFIORA

TOWN OF NEW WINDSOR

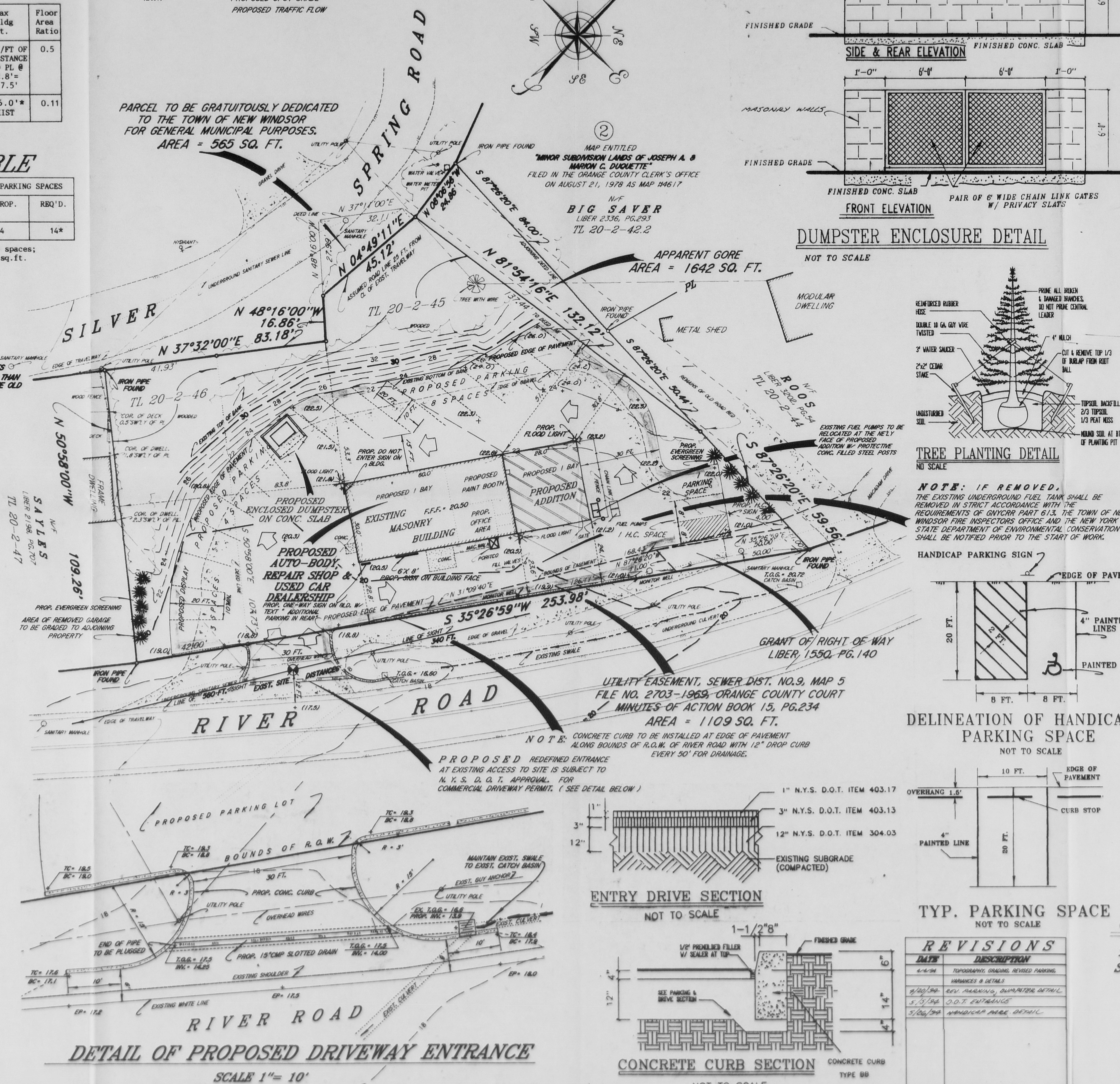


STEVEN P. DRABICK, PLS NY LIC. H49806

## LEGEND

CONTOUR OF EXISTING ELEVATION  
PROPOSED SPOT GRADE  
PROPOSED TRAFFIC FLOW

PARCEL TO BE GRATUITOUSLY DEDICATED TO THE TOWN OF NEW WINDSOR FOR GENERAL MUNICIPAL PURPOSES.  
AREA = 565 SQ. FT.

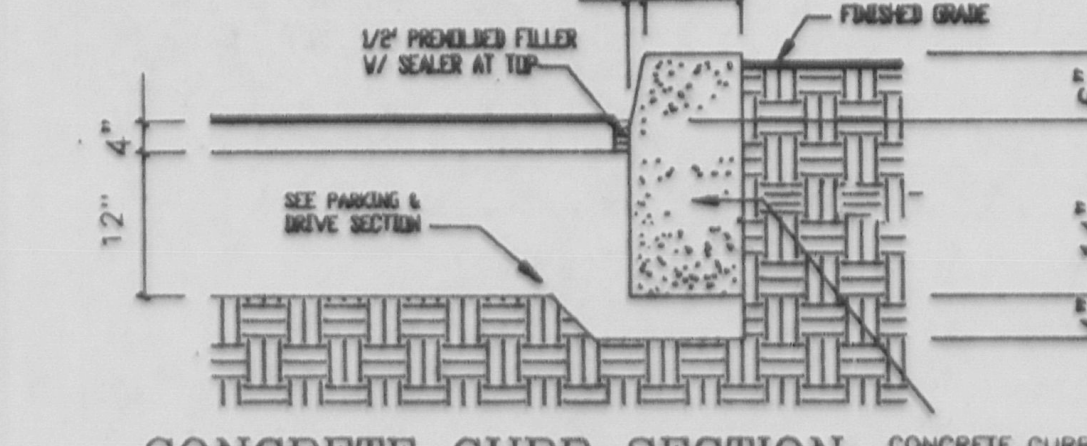


## DETAIL OF PROPOSED DRIVEWAY ENTRANCE

SCALE 1" = 10'

## ENTRY DRIVE SECTION

NOT TO SCALE

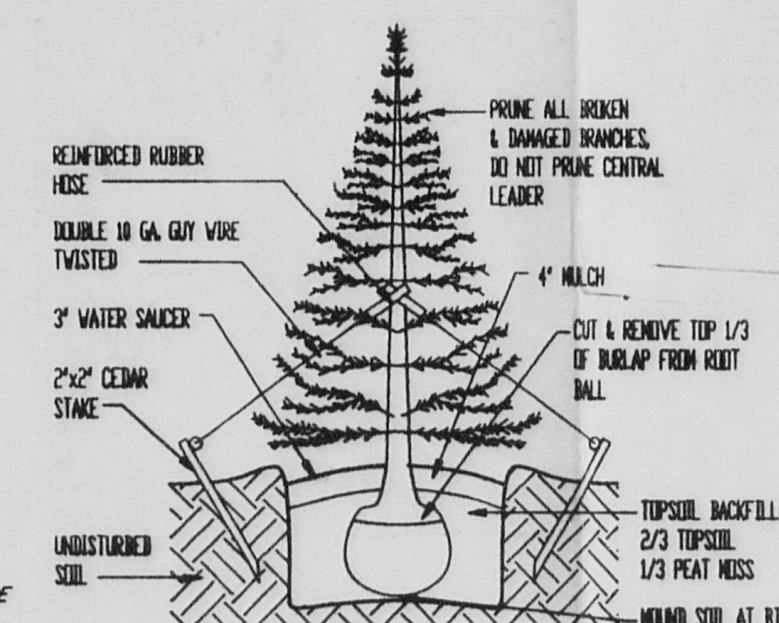


## CONCRETE CURB SECTION

NOT TO SCALE

## DUMPSTER ENCLOSURE DETAIL

NOT TO SCALE

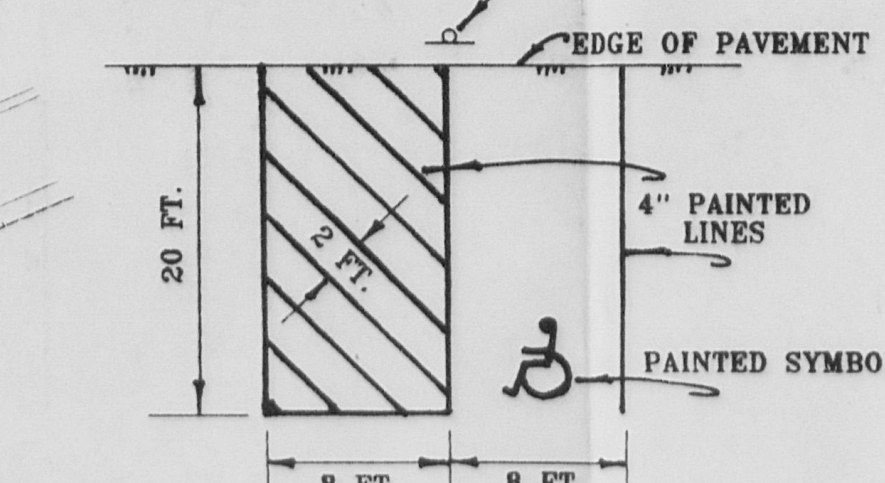


## TREE PLANTING DETAIL

NO SCALE

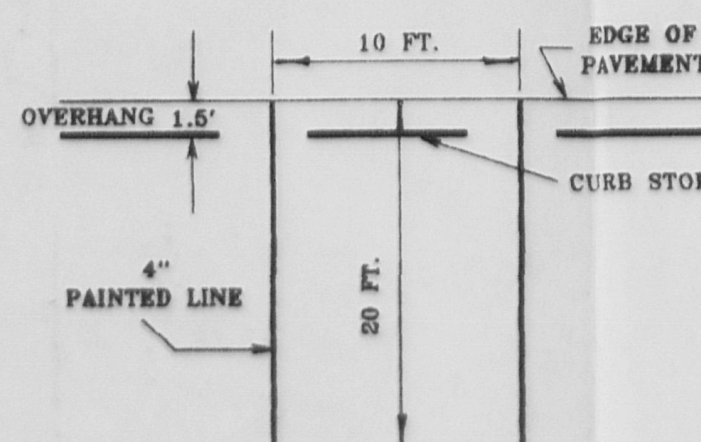
**NOTE: IF REMOVED,**  
THE EXISTING UNDERGROUND FUEL TANK SHALL BE REMOVED IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF NYCRR PART 613, THE TOWN OF NEW WINDSOR FIRE INSPECTORS OFFICE AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION SHALL BE NOTIFIED PRIOR TO THE START OF WORK.

## HANDICAP PARKING SIGN



## DELINEATION OF HANDICAPPED PARKING SPACE

NOT TO SCALE



## TYP. PARKING SPACE

NOT TO SCALE

## REVISIONS

DATE	DESCRIPTION
6/1/94	TOPOGRAPHIC DRAWING REVISED PARKING
6/1/94	HANDICAP DETAIL
6/1/94	REPAIR SHOP, DUMPSTER DETAIL
6/1/94	D.O.T. ENTRANCE
6/1/94	HANDICAP PARKING DETAIL



## NOTES:

- 1) BEING A PROPOSED SITE PLAN OF LOTS 45 AND 46, BLOCK 2, SECTION 20 AS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAP.
- 2) OWNER: APPLICANT, JOSEPH J. DELLAFIORA, 42 FROST LANE, CORNWALL, NY 12518.
- 3) PROPERTY ZONE: PI (PLANNED INDUSTRIAL)
- 4) PROPERTY AREA: 0.5744 ACRE
- 5) PROPOSED USE: AUTO-BODY, REPAIR SHOP & USED CAR DEALERSHIP
- 6) WATER SUPPLY: TOWN MUNICIPAL
- 7) SANITARY SEWAGE DISPOSAL: TOWN MUNICIPAL
- 8) TOPOGRAPHIC INFORMATION SHOWN HEREON IS FROM AN ACTUAL FIELD SURVEY COMPLETED ON 3/31/94. CONTOUR INTERVAL: 2 FT. DATUM: U.S.G.S.
- 9) IN ADDITION TO THE PROPOSED SIGN ON THE FACE OF BUILDING, AN PROPOSED 4' X 4' FREE STANDING SIGN SHALL BE LOCATED AT THE SOUTHEASTERN CORNER OF THE PROPERTY IN ACCORDANCE WITH THE APPLICABLE ZONING REGULATIONS IN-FORCE AT THE TIME OF CONSTRUCTION.

## SITE PLAN

PREPARED FOR

JOSEPH J. DELLAFIORA

TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK  
SCALE 1" = 20' AUGUST 3, 1993

STEVEN P. DRABICK  
PROFESSIONAL LAND SURVEYOR  
PO BOX 558, CONTINENTAL RD.  
CORNWALL, N.Y. 12518

JOB NO. 151-93